

Sample

Fire Pit Permit Rules and Regulations for Village of Rosendale, WI

Open Burning.

Approved 11-19-07

Village of Rosendale Board Meeting

Section (1) OPEN BURNING PROHIBITED.

No person, firm or corporation shall build any outdoor fire within the limits of the Village of Rosendale except as set forth in section (2) of this document. The purpose of this section is to prohibit or strictly control the burning of materials in the village in order to prevent public nuisances, threats to public safety, and possible air and water pollution that may result from such burning.

(a) It is felt that only by completely prohibiting the outside burning of rubbish, leaves, trash, garbage, building materials and other combustibles, which are to be considered unnecessary public nuisances, dangers, and pollution, such burning is hereby prohibited.

(b) The use of outdoor portable incinerators, drums, barrels or other containers, and outdoor or inside fireplaces for the burning of rubbish, leaves, trash, garbage, building materials, and other combustibles or refuse is hereby prohibited.

(c) Outdoor wood burning heating systems: The Village of Rosendale strictly controls the installation and use of outdoor wood burning heating systems within the village. (Refer to Ordinance # 108)

Section (2) EXCEPTIONS.

(a) Outdoor cooking fire. Open or closed cooking grills (charcoal and propane fuel only) are exempt from the prohibitions of section (1) above except as follows:

1. For all multiple family dwellings more than one story in height, the use of any propane or charcoal gas cooking device is prohibited above the first floor occupancy.
2. For all multiple family dwellings more than one story in height, the use of any open or closed outdoor cooking fire, charcoal or propane cooking device, or any open flame device is prohibited within 15 (fifteen) feet of the structure on the ground floor.
3. Smoke from outdoor cooking grills shall not disturb or annoy neighboring property owners/tenants adjacent to or above the grilling area.

(b) Recreational Fires. Recreational fires defined as any campfire or cooking fire at a single or two family private residence, for the purpose of recreation or personal enjoyment, are exempt from section (1) so long as the fire is started and tended in compliance with the following requirements:

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1. A campfire permit and pit inspection of the site where the recreational fire will be set must first be obtained from the Rosendale Fire Department.
 - a. Campfire pits are restricted to the rear yard of the residence.

2. A permit application for the recreational fire pit is available from the Rosendale Fire Chief or his/her designee.

3. The permit form must be filled out and returned to the Fire Chief or their designee prior to first use of the fire. There is no fee for this permit.

4. The fire department pit inspection will take into consideration but is not limited to the following items when considering issuance of the permit. The pit location in respect to:
 - a. the primary residence and height of
 - b. secondary building(s) and height of
 - c. lot plantings including: trees, shrubs, bushes, pines, cedars
 - d. any other combustible material stored or located in the vicinity of the fire pit itself
 - e. must allow for adequate smoke and spark dissipation during burn which will not cause other combustible items to be in jeopardy of possible fire ignition.
 - f. typical wind direction or air circulation do to other buildings nearby
 - g. all the above also applies to the neighboring adjacent lots

5. All permit considerations must allow for the safe use of a recreational campfire at the applying residents, and for the safety of all other village residents.

6. The Fire Chief and or his/her designee may deny the issuance of a permit do to pit location request, safety conditions or other safety concerns which could lead to an unsafe situation if burning took place. The denial and reason why the permit was denied will be recorded and placed on file with the Village Fire Department and a copy submitted to the Village of Rosendale Clerk for record.

7. No recreational camp fires shall be allowed if it places any building, structure, shed, garage, trees shrubs, bushes, fences, or any other kind of material that poses a likely risk of combustion. **(Fire pit and location must be approved by Fire Chief or his/her designee prior to the fire pit being used)**

8. Recreational fires shall be in a below ground fire pit with a minimum depth of 10 inches and diameter of 30 inches or less. The fire may not, except as defined below, extend more than 2 feet above the pit in free burn stage. The fire pit shall be surrounded on the outside, above ground, by a non-combustible material such as concrete, concrete block or rock or steel fire ring.

9. No fire pits will be allowed in any combustible surface, including wood decks, wood porches, or balconies.

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10. Portable free standing fire pits (enclosed, contained, covered), defined as devices commercially designed and intended to contain and control small outdoor wood fires, may be used in accordance with the manufacturer's recommendations and within the requirements of section 2 of this ordinance. It must be used on a non-combustible surface (dirt without vegetation, stone, gravel, concrete, brick, etc.) with an area twice the diameter of the portable fire pit. Must follow the same safe burning rules as outlined within this document for open pit campfires.

In addition:

- a. Commercial portable free standing fire pits may be used in a safe manner in other locations of the yard, if open clearance allows for safe burning and smoke/spark dissipation. Example: Front yard or driveway and at least 20 feet away (safety distance) from the home, garage, other structures, cars etc.
- b. Commercial portable free standing fire pits may not be used on wood deck.

11. Materials burned for recreational fires shall not include rubbish, garbage, recyclable items, trash, any material made of or coated with, paint, rubber, plastic, leather, pressure treated lumber, or petroleum based materials and shall not contain any flammable or combustible liquids.

12. All recreational fires whether open pit or commercial portable fire units shall be attended at all times by at least one responsible adult, from the ignition of the fire until the fire is completely extinguished.

13. The renter/lessee of any leased property must provide written documentation from the property owner, giving permission to have a recreational fire on that property.

14. Any person who has started or maintained a recreational fire as defined herein shall pay any and all costs incurred by the fire department for any service call generated by a recreational fire not in conformance with the provisions of this section.

15. Smoke from any type of recreational campfire or commercial portable fire unit shall not disturb or annoy neighboring property owners. Complaints from neighbors will be monitored and addressed immediately (when possible) and a member of the Village Police Department and / or the Village Fire Department will contact the permit holder and the permit holder will be asked to put their recreational fire out immediately and completely.

16. Any approved wood being burned in a recreational campfire pit or commercial portable fire unit, must be cut to a length as not to exceed the pit dimension or the manufactures recommended size limitations of the commercial portable fire unit. No burning will be allowed outside the containment area of the campfire pit or commercial portable fire unit.

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Section (3) PERMIT CONDITIONS.

(a) Any burning permitted under section (2) shall be conducted in a safe, nuisance-free manner.

(b) Whenever a special permit is issued by the fire chief, the permit may specify and be conditioned upon observance of certain safety restrictions and nuisance mitigation measures.

(c) The burning permit issued for a campfire pit is for the original location and size inspected and approved for by the village fire department. If the pit is modified in size or relocated for any reason after issuance of the original permit, the fire permit is then void and the new pit must be applied for.

(d) The named permit holder for the campfire pit or commercial fire devise shall be responsible for any liability resulting from damage caused by any burning.

(e) The holder of the issued fire permit must retain a copy of the permit and have available upon request.

(f) The issued fire permit is not transferable. If the residence is sold, transferred, reoccupied, the new owner, tenant etc. is required to contact the village fire department for re-issuance of the fire permit.

(g) The Fire Department Chief may revoke the permit issued and deny the use of a fire pit or commercial portable fire unit, in the event an unsafe condition occurs, or the use of the pit or portable unit is being used in an unsafe manner. If the user does not comply with this order, thus will constitute a violation of this ordinance and penalties apply.

(4) FIRE CHIEF MAY PROHIBIT. The fire chief or his designee may prohibit any burning of any type when atmospheric, local conditions or local circumstances make such fires hazardous or a nuisance to surrounding residents or passers by.

(5) BURNING ON PUBLIC PROPERTY. No materials may be burned upon any street, curb, gutter, sidewalk, drainage ditch, waterway, alley, or parking lot accessible to the general public.

Penalties Apply

In the event of a violation of this ordinance, a warning will be issued. In the event of additional violations, the penalty for the violation is forfeiture of Two Hundred Fifty dollars (\$250) and up to, and not to exceed One Thousand dollars (\$1000.00).

_____ Name of Permit Holder

_____ Address - Village of Rosendale, Wisconsin 54974

I have also advised said resident of contents of ordinance and find the fire pit at this residence meets requirements of this ordinance.

Fire **Contact Chief McCoy for Permit**
Request & Inspection at 920-872-2812
Date: _____