

Title: RECREATIONAL BURNING

It is the intent of the City that residents shall have the opportunity to have recreational fires at their residence provided that such fires are in strict compliance with restrictions relating to recreational fires.

Subd. 1 **Open Burning Prohibited.** No person shall build any outdoor fire within the city limits except as set forth within this Section.

Subd. 2 **Definitions**

Recreational fire – a campfire for the purpose of recreation and personal enjoyment.

Cooking fire – A fire in contained in a grill or fire pit for the purpose of cooking food outdoors over open flame. Cooking fires do not refer to the use of charcoal or gas grills when they are used as intended.

Portable fire pits – a structure or device intended to contain and control outdoor wood fires. This shall include a structure which although not portable, is designed to contain and control outdoor wood fires.

In-ground fire pit – a fire pit surrounded on the outside by non-combustible material such as rocks or decorative paver stones. Cement blocks will not be used for the construction of In-ground fire pits.

Subd. 3 **Exceptions.**

A. Fires built for the purpose of cooking or to enhance the outdoor experience (recreational fires) of residents of the city are allowed under the conditions listed in Subd. 4.

Subd. 4. **Conditions.**

- A. Material used to make a cooking or recreational fire cannot include construction materials, trash, rubbish, grass clippings or brush. Only natural firewood cut in short pieces may be burned.
- B. Cooking or recreational fires are permitted on the resident's property or in city parks where fire pits or grills are provided. Non-residents of the city are prohibited from having recreational fires in the City of Sherburn.
- C. Recreational fires shall not exceed three (3) feet in diameter and three (3) feet in height.
- D. Cooking or recreational fires must be contained in either a portable fire pit or an in-ground pit.
- E. Adequate fire suppression shall be immediately available at all times during a cooking or recreational fire. This will include either a minimum 4-A rating fire extinguisher or other suppression methods such as dirt, sand, water barrel or garden hose.
- F. An responsible person at least 18 years of age will be in attendance of the fire at all times until the fire is extinguished
- G. Recreational fires must be at least 15 feet from any structure and a minimum of five (5) feet from the resident's property line.
- H. Any damage caused as a result of a recreational fire is the responsibility of the resident in charge of the fire.

Subd. 5 **Fire Department Exemption**

- A. The fire department, when in the course of training, is exempted from the requirements of this section.

Subd. 6 **Recreational Fires Prohibited**

- A. No recreational fires will be permitted if the winds are in excess of 15 miles per hour. Current weather conditions may be checked on the National Weather Service website at www.crh.noaa.gov/mpx/. Enter the city's zip code for current conditions.

B. No recreational fires may be started or allowed to continue between the hours of 12:00 AM and 4:00 PM. Any such fire is presumed unreasonable and must be extinguished upon demand.

C. When the Commissioner of the Department of Natural Resources issues a burning ban for this area of the State; recreational fires will be suspended in the city until the ban is lifted.

D. In the event that the fire department is called to extinguish the fire, the resident in charge of the fire is responsible for all fees incurred for their services.

Subd. 7 Duty to Extinguish

- A. Any fire must be extinguished if it becomes a nuisance to others or if not under supervision.
- B. Police Officers are authorized to require a recreational fire to be immediately extinguished and discontinued if it determined that the fire is not in compliance with the requirements of this Section. Police may also order the fire extinguished if the smoke created is deemed offensive to nearby neighbors or the burning is determined to constitute a hazardous condition.

Subd. 8. Penalties

A person found guilty of violating this section is guilty of a Misdemeanor with a fine of up to \$700.00