

## Chapter 9

# OPEN BURNING AND RECREATIONAL FIRES

### 5-9-1: OPEN BURNING PROHIBITED EXCEPT AS AUTHORIZED:

- A. General: A person shall not kindle or maintain any open burning unless the same is conducted and approved in accordance with this chapter.
- B. Prohibited Open Burning: Open burning that is offensive or objectionable because of smoke or odor emissions, or when atmospheric conditions or local circumstances make such fires hazardous, shall be prohibited.
- C. Extinguishment Authority: The fire official, appointed by the village president and who may also hold the position of fire chief of the Maple Park fire protection district, or such appointed individual's designee, shall be authorized to order the extinguishment of any open fire. The following are examples of circumstances which may require the fire official to take such action:
1. Very dry conditions due to exceptionally dry weather.
  2. Exceptionally windy conditions.
  3. The burning of construction materials of any type.
  4. The burning of any CCA (green treated) wood.
  5. The burning of any combustible material other than seasoned firewood or charcoal.
  6. Hazardous or objectionable open burning when the emission of smoke or odors impact other persons in the vicinity of the fire.
  7. The lack of a responsible person monitoring the fire.
  8. The lack of on site fire extinguishing equipment.

Such conditions or circumstances as set forth above shall serve as examples of situations where the fire official may order the extinguishment of any open burning, but the fire official's authority to order the extinguishment of any open burning shall extend to any situation where, in the opinion of the fire official, conditions or circumstances are present which present a hazard such that extinguishment of the fire is necessary. (Ord. 2013-02, 4-2-2013)

### 5-9-2: RECREATIONAL FIRES:

- A. Definition: A "recreational fire" is hereby defined as a small fire for the purpose of enhancing social interaction or for ceremonial, cooking, warmth or similar purposes. Except as set forth below, recreational fires shall not be conducted within twenty feet (20') of a structure or

combustible material. Conditions which could cause a fire to spread within twenty feet (20') of a structure shall be eliminated prior to ignition.

- B. **Recreational Fires In A Fire Pit:** A fire pit should be at least four inches (4") in depth and should be surrounded on the outside by noncombustible materials such as stone, steel, brick or masonry. A fire pit shall not exceed four feet (4') in diameter nor may the fire pile exceed four feet (4') in height. Fuel used for recreational fires shall be dry firewood or charcoal only. The fire shall be attended at all times. A portable fire extinguisher of at least a 4-A rating or other approved on site fire extinguishing equipment such as dirt, sand, or a garden hose shall be readily available for immediate utilization. All fire pits shall be located not less than fifteen feet (15') from a property line. Fire pits shall not be placed on public roads, alleys, sidewalks, or easements.
- C. **Recreational Fires On The Ground:** Recreational fires on the ground shall be contained with rocks or noncombustible screening to contain the fuel within the dedicated space. Such fires should not be started when very dry conditions due to exceptionally dry weather are present, in conditions such as dry grass or other combustible material which could cause a fire to spread within the prohibited location set forth above shall be eliminated prior to ignition. Fires on the ground shall not be greater than four feet (4') in diameter and four feet (4') in height. Fuel used for recreational fires on the ground shall be dry firewood or charcoal only. The fire shall be attended at all times. A portable fire extinguisher of at least a 4-A rating or other approved on site fire extinguishing equipment such as dirt, sand, or a garden hose shall be readily available for immediate utilization.
- D. **Recreational Fires In A Portable Outdoor Fireplace:** An outdoor fireplace is a commercially produced chamber, enclosure, or screened enclosure, portable in design, for the purpose of containing a recreational fire of two feet (2') or less in diameter and two feet (2') or less in height for social interaction, ceremonial, cooking, warmth, or similar purposes. The products of combustion shall either pass through a chimney prior to being emitted into the air or the chamber shall be a screened enclosure with a lid covering the screened area of combustion. Recreational fires in portable outdoor fireplaces shall be at least fifteen feet (15') from any structure. These devices shall not be allowed on combustible surfaces. Fuel used for recreational fires in an outdoor fireplace shall be seasoned dry firewood and charcoal only and must be contained entirely within the outdoor fireplace. The fire shall be attended at all times. A portable fire extinguisher of a least a 4-A rating, or other approved on site fire extinguishing equipment such as dirt, sand, or a garden hose shall be readily available for immediate utilization. (Ord. 2013-02, 4-2-2013)

### **5-9-3: BONFIRES:**

A bonfire is an outdoor fire generally used for ceremonial purposes and it requires a permit from the Maple Park village clerk. A bonfire shall not be conducted within fifty feet (50') of a structure or combustible material unless the fire is contained in a pit or approved container as marked on said permit. Conditions such as dry grass or other combustible material which could cause a fire to spread within fifty feet (50') of the structure shall be eliminated prior to ignition. A bonfire for which a permit has been issued may be postponed, rescheduled, or canceled by the order of the fire official if, at the time of ignition of the fire or thereafter, very dry conditions exist due to exceptionally dry

weather and/or exceptionally windy conditions which could spread the fire within fifty feet (50') of a structure. The bonfire shall not exceed three (3) hours in duration. The fuel used for bonfires may include wood pallets, dry firewood or other fuel approved by the fire department. The fire shall be attended at all times. At least one portable fire extinguisher of a 4-A rating, or other approved on site fire extinguishing equipment such as dirt, sand, or a garden hose shall be readily available. Bonfires may be extinguished by the fire department if the fire is deemed a health or safety hazard. Permits for bonfires may be obtained from the village clerk and shall be requested not less than ten (10) days prior to the date of burning. (Ord. 2013-02, 4-2-2013)

#### **5-9-4: BURNING OF LEAVES OR GARDEN DEBRIS PROHIBITED:**

The burning of leaves, lawn rakings and landscape waste is prohibited. Such material shall be placed in an approved yard waste bag at curbside in conformance with proper waste disposal requirements. The village contracts with a private hauler to collect such yard waste during seasonal periods. (Ord. 2013-02, 4-2-2013)

#### **5-9-5: PENALTIES:**

- A. The fire official may, in his or her discretion, provide written warnings to achieve compliance with the provisions of this chapter.
- B. The general penalty of section [1-4-1](#) of this code, shall apply for violations of this chapter.
- C. In addition to the provisions of section [1-4-1](#) of this code, a violator shall be subject to responsibility for the cost of the fire department's services provided as a result of any actions taken in violation of the provisions of this chapter. (Ord. 2013-02, 4-2-2013)