

Chapter 8.28

OPEN BURNING

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8.28.010 Prohibiting burning of certain items

It is unlawful for any person to engage in any of the following open burning practices within the city:

- A. Waste oils, rubber, waste tires, tarpaper, asphalt shingles, or any other petroleum-based waste materials;
- B. Household refuse, garbage, or solid waste. The term "garbage" or "refuse" means every accumulation of animal, vegetable or other matter that attends the preparation, consumption, decay, dealing in or storage of meats, fish, fowl, birds, fruits or vegetables including the cans, containers or wrappers wasted along with such materials. The term "garbage" or "refuse" also means any waste product composed wholly or partly of such materials as garbage, trash, rubbish, litter, accumulated waste materials, cans, containers, tires, junk, or other substances which may become a nuisance. The term "garbage" or "refuse" shall not be construed so as to forbid the burning of wood, leaves, shrub trimmings, dead limbs, or paper;
- C. Industrial waste, including any containers, boxes or materials used to store or transport commercial products of any type or manner unless burned in a fire containment device authorized by the City. (Re-Numbered 2016) (Amended 2016)

08.28.020 Permit Required

It is unlawful for any person to engage in any open burning practices without having first obtained the proper Burn Permit from the Dakota Valley Fire District. Persons shall not be required to obtain an open burn permit for in-ground fire pits, fire rings, patio burners, chimney pots, or any other type of smaller outdoor fire places. (Inserted 2016)

08.28.030 Regulations to Open Burning Permits

- A. An open burn must be attended by the permit holder until the fire is completely extinguished.

- B. The permit holder must have fire control equipment, such as a fire extinguisher or water hose, available close to the burn at all times, and the ability to contact 911.
- C. The permit holder must follow all federal, state, and local regulations.
- D. It is unlawful to burn any materials in the city when the wind speed exceeds ten (10) m.p.h. or wind gusts over fifteen (15) m.p.h.
- E. It is unlawful to burn any materials between one hour after sundown and before sunup.
- F. It is unlawful to bring any materials from outside of the permitted property address to burn on the permitted property address.
- G. It is unlawful to burn any materials less than fifteen (15) feet from any structure.
- H. It is unlawful to burn any materials on the ground in any space greater than ten (10) feet by ten (10) feet in area.
- I. It is unlawful to burn any materials that will allow for flames higher than twenty (20) feet. (Inserted 2016)

8.28.100 Penalties - Violations

Any person convicted of violating this chapter shall be punishable by a fine of not more than Five Hundred Dollars (\$500.00). (Prior code § 5.0806) (Amended 2007) (Re-Numbered 2016)