

## ***Open Burning***

### ***Open Burning Defined***

Open burning shall be defined as any fire in an outside location.

### ***Open Burning Prohibited***

No person shall ignite, cause to be ignited, permit to be ignited, allow or maintain, kindle or maintain within the City any open burning fire.



# Open Burning Ordinance

**Burlington Fire Department**

418 Valley Street  
Burlington, IA 52601  
Phone: 319-753-8391  
Fax: 319-754-9545

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Fire Prevention Code

Chapter 162.02

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Acting

## **Exceptions**

Exceptions shall include only the following:

### **Exception 1: Religious and Ceremonial Fires**

Religious and ceremonial fires as defined: The burning of materials on the ground and not in a manufactured container for religious, ceremonial, or similar purposes and in accordance with this section.

Prior to commencement of a religious or ceremonial fire, the Fire Department shall be notified and a permit obtained.

Fuel shall be limited to clean lumber, logs, or charcoal. The size and location of these fires may be modified with the approval of the Fire Chief or designee.

The time period of the religious or ceremonial fire shall be approved by the fire chief or designee and shall be included on the permit.

### **Exception 2: Outdoor Cooking Fires**

Outdoor cooking fires as defined: The burning of materials where fuel being burned is contained in manufactured outdoor fireplaces or grills used for food preparation and in accordance with this section.

A permit is not required for outdoor cooking fires.

Outdoor cooking fires shall be conducted within safe distances from buildings, structures and combustible materials. Fuel shall be limited to clean lumber, logs, propane, natural gas or charcoal.

### **Exception 3: Training Fires**

Training fires as defined: Fires set for the purpose of bona fide instruction and training of public and industrial employees in the methods of fire fighting.

Prior to commencement of open burning, the Fire Department shall be notified and a permit obtained. EPA notification shall be accomplished as per their requirements.

The time period of the training fire shall be approved by the Fire Chief or designee and shall be included on the permit.

### **Exception 4: Disaster Rubbish**

Disaster Rubbish as defined: The open burning of rubbish, including landscape waste, for the duration of the community disaster period in cases where an officially declared emergency condition exists.

Prior to commencement of open burning, the Fire Department shall be notified and a permit obtained.

The time period of the disaster rubbish fire shall be approved by the Fire Chief or designee and shall be included on the permit.

### **Exception 5: Leaves**

Leaves as defined: Leaves and twigs smaller than one inch in diameter and two feet in length.

Open burning of leaves shall be permitted on Wednesdays and Saturdays between 10:00 a.m. and 5:00 p.m., April 1 through April 30 and November 1 through November 30.

A permit is not required for leaf burning.

### **Exception 6: Landscape Waste**

Landscape waste as defined: The open burning of tree trimmings and brush on large areas of agricultural land within the incorporated limits of the City. Landscape waste shall be only that material that originates on the premises.

Prior to commencement of open burning, the Fire Department shall be notified and a permit obtained.

The time period of the landscape waste fire shall be approved by the Fire Chief or designee and shall be included on the permit.

## **Rules Governing Open Burning Permitted in Accordance With the Aforementioned Exceptions.**

### **1. Attendance/Fire Extinguishing Equipment**

Burning material shall be constantly attended by a person familiar with the open burning regulations with appropriate fire-extinguishing equipment readily available.

### **2. Wind Speed**

No fire may be kindled when wind velocity exceeds fifteen (15) miles per hour.

### **3. Distance from Structures or Other Combustible Materials**

Open burning shall not be conducted within 50 feet of any structure or other combustible material. Conditions which could cause the fire to spread to within 50 feet of a structure shall be eliminated prior to ignition. **Exception 1:** Clearance from structures and other combustible material is allowed to be reduced to not less than 25 feet when the pile size is 3 feet or less in diameter and 2 feet or less in height. **Exception 2:** Landscape waste fires shall be permitted only when the open fire will be at least one-quarter mile or more from any building inhabited by other than the land owner or tenant conducting the open burning and is maintained at safe distances from other combustible materials.

### **4. Discontinuance**

The Fire Chief or designee is authorized to require that open fires be immediately discontinued if it is determined that smoke emissions are offensive to occupants of surrounding property or if the open burning is determined to constitute a hazardous condition.

### **Burning on City Streets and Sidewalks**

#### **NO BURNING ON CITY STREETS OR SIDEWALKS IS ALLOWED.**

City Code Section 135.02 states "It is unlawful for any person to obstruct, deface, or injure any street or alley in any manner."

City Code Section 137.13 states "It is unlawful for a person to make a fire of any kind on any sidewalk or to place or allow any fuel to remain upon any sidewalk."