

Sec. 18-103. - Burning of trash, grass and refuse restricted.

- (a) No person shall kindle or maintain a grass fire, bonfire, or rubbish fire or authorize any such fire to be kindled or maintained within the City without a permit from the City Fire Department or other proper authorization. A permit fee in the amount established by resolution shall be paid.
- (b) No person shall burn any refuse in streets or alleys. No garbage shall be burned. No cans, cartons or any other substance which would create offensive, obnoxious fumes and/or odors shall be burned.
- (c) A recreational fire, such as any small fire contained in a self-enclosing portable device or noncombustible structure located at a residence for the purposes of recreation and personal enjoyment, shall comply with the following requirements:
 - (1) Recreational fire devices shall be at ground level and shall be no closer than ten feet from any structure or any other combustible material.
 - (2) Fires shall be contained in a portable device that is placed upon a secured noncombustible surface, or constructed of a noncombustible material and placed on a noncombustible surface. No person shall maintain a recreational fire in an approved portable device or noncombustible structure so that the flames extend beyond the fire chamber.
 - (3) Only portable devices or noncombustible structures with lids and ember arresting screens shall be used and remain intact during use for any such recreational fire.
 - (4) Fires shall not be started at a time or maintained when the wind speeds exceed 15 miles per hour and smoke from recreational fires shall not create a nuisance for the neighboring property owners. No recreational fires shall be started when the wind will cause smoke, combustibles or other materials to be carried by the wind toward any building or other combustible or flammable materials.
 - (5) Materials for recreational fires shall not include rubbish, garbage, recyclable items, trash, yard waste or any materials made of or coated with rubber, plastic, leather or petroleum based materials made of or coated with rubber, plastic, leather or petroleum based materials and shall not contain any combustible or flammable liquids. No construction materials.
 - (6) Adequate fire suppression equipment, such as shovels, fire extinguishers or water hoses or containers shall be present to extinguish or control fires at all times.
 - (7) Fires shall be attended at all times by at least one responsible person of age 18 or older.
 - (8) It is the duty of any renter or lessee at a dwelling to notify and obtain written permission from the property owner prior to initiating any recreational fire.
 - (9) Citations may be issued for failure to comply with the above regulations and the property owner, renter or lessee shall be held liable for any damage caused by any recreational fire, including the cost of citations. The property owner and/or person who has started any

recreational fire shall hold the city harmless from any and all such liability for any damages caused by a recreational fire.

- (10) Only clean and untreated wood may be burned. Recreational fires shall not be permitted from 12:00 a.m. to 7:00 a.m. nor shall a person maintain a fire for more than five continuous hours per day.
- (11) Authorized campgrounds and City parks shall be exempt from the provisions of this subsection. However, the same shall be subject to any applicable regulations or permit requirements.

(Code 1980, § 7.01(D))

Cross reference— Persons indebted to City not to be issued permit, license or lease, § 2-292.

State Law reference— Authority to regulate smoke emissions, Wis. Stat. § 254.57.