

## ORDINANCE NO. 2011-1

THE CITY COUNCIL OF THE CITY OF GREEN ISLE, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH AND WELFARE, HEREBY ORDAIN AS FOLLOWS:

### AN ORDINANCE REGULATING FIRES WITHIN THE CITY OF GREEN ISLE

Section 1. Minnesota Statute 88.171, Open Burning Prohibitions, and any laws amending or replacing said law, is hereby adopted to control open burning within the city limits of the City of Green Isle. In addition, the following restrictions shall also apply within the City of Green Isle:

- A. **Indoor Fires.** Indoor fires mean any fires created within a fully enclosed structure. Indoor fires shall be allowed only in properly built and safe, UL approved furnaces and fire places, and shall be created only for the purpose of heating and food preparation. Only natural gas, propane, fuel oil, coal, or wood products may be used to fuel said fires. The furnace or fire place system shall be provided with proper vents and chimney and shall be properly maintained so as to function in a safe condition, and to prevent ash, smoke, and noxious odors from drifting onto neighboring property.
- B. **Outdoor Fires.** Outdoor fires are any fires created outside of a fully enclosed structure. No outdoor fires shall be allowed on open ground. Outdoor fires shall be created only in an outdoor fireplace, barbecue equipment or concrete-lined fire pit, sufficient to provide physical limitation to the spread of the fire. Outdoor fires are strictly prohibited except for recreational purposes. Recreational purposes shall include only the cooking of food or the providing of heat and light for outdoor social gatherings. Only propane, charcoal bricks, or wood products may be used to fuel outdoor fires. The outdoor fire shall be maintained and controlled in such a manner as to avoid smoke, ash and obnoxious odors from drifting onto neighboring property. Outdoor fires shall be supervised at all times by at least one adult person, who will be responsible to properly maintain the fire, safeguard it from spreading, and safeguard it from children and animals. No objects other than the fuel materials approved in this ordinance shall be placed in such outdoor fires. No highly flammable liquids such as gasoline or kerosene shall be used on such fires or stored near such fires. Outdoor fires shall be created or maintained at a distance of at least 15 feet from all structures and property lines.
- C. Under no circumstances shall any garbage, lawn waste, leaves, or other objects be placed in any indoor or outdoor fire in the City of Green Isle.

Section 2. **Exemptions.** Fires under managed supervision, for which a written burning permit has first been issued by the City Fire Marshall, and if required, from the Minnesota Pollution Control Agency, are exempt from this ordinance. However, such burning permits shall be limited to the following purposes:

- A. Fires purposely set for the instruction and training of firefighting personnel.
- B. Fires set for the elimination of a fire hazard which cannot be abated by any other practical means.
- C. Fires purposely set for forest and game management purposes.

Section 3. Any person found to be in violation of this ordinance shall be guilty of a petty misdemeanor, punishable by the maximum fine allowed under Minnesota Statute 609.0332, and any laws amending or replacing said statute. Any person found to be in violation of this ordinance more than once in any 5 year term, shall be guilty of a misdemeanor for the second and all subsequent violations during said 5 year term, subject to punishment as set out for misdemeanors under Minnesota Statute 609.03 (3), and any laws amending or replacing said statute. The term "person" for purposes of this section shall mean any person found to have created or maintained a fire in violation of this ordinance, and the person in possession of the property on which the fire was located shall be considered in violation of this ordinance. If the property is rental property, then the tenant in possession shall be considered in violation of this ordinance. If the property is owner occupied, then the owner of the property shall be considered in violation of this ordinance.

This ordinance shall become effective immediately upon publication.

For City of Green Isle:

  
By Randal S. Bruegger

Its Mayor



By Shane Sheets

Its Vice Mayor

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