

Chapter 7-2

BAN ON OPEN BURNING

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Section 7-2-1 Ban On Open Burning

No person shall burn trash, garbage, refuse or other materials within the City of Storm Lake unless burned within a closed incinerator capable of trapping burned particles and equipped with a chimney or similar device, subject, however, to the special exception contained in 7-2-2.

Section 7-2-2 Permitted Open Burning

A. Following A Disaster:

The Fire Chief may authorize limited periods of open burning to assist in the clean up of debris in the aftermath of manmade or natural disasters such as tornadoes and ice storms.

B. Training Fires:

The scheduled burning of a structure or a field of prairie grass for the purpose of training member of the Fire Department which has been requested by the Fire Chief and approved by the Director of Public Safety and the City Administrator.

C. Recreational Fires:

A recreational fire is a fire for religious, ceremonial, cooking, camping or social purposes. Permitted recreational fires include fires in an outdoor fireplace or a barbecue pit.

Fires on the open ground, or in a fire ring, are permitted recreational fires if 1) they are authorized by the owner of the property on which they are located; 2) the fire has a total fuel area three feet (3') or less in diameter and two feet (2') or less in height; and 3) the fire is not located within twenty-five feet (25') of any structure.

In addition, to qualify as a recreational fire, all of the following requirements must be met:

1. The fuel used must be clean, dry firewood or charcoal only. No yard waste (other than clean dry tree limbs cut to be the equivalent of firewood), house waste, rubbish, paneling, treated lumber or construction debris may be burned nor may any materials containing glass, paint, solvents or which contain high moisture or sap content which may produce noxious fumes or dense smoke.
2. Recreational fires are not permitted when the wind speed exceeds 20 mph or under drought conditions when the Fire Chief has proclaimed a ban on such fires.

3. Recreational fires in approved burning appliances equipped with a spark arrester and/or a lid must be at least fifteen feet (15') from any structure and they may not be placed on a combustible surface if the burning chamber of that appliance will come in contact with that surface.

4. An adult must be in attendance at the recreational fire until it is out.

5. Recreational fires shall not be conducted before 7:00 A.M. and shall be completely extinguished when the activity ceases, or by 12:00 midnight, whichever comes first.

6. The person responsible for the fire shall have a fire extinguisher or other means of extinguishing the fire available.

D. Certain fires on property within a Reserve (RES) Zoning District established under the Zoning Code of Storm Lake, Iowa:

A fire that is located on a taxable real estate parcel of two or more acres, or located on two or more contiguous taxable parcels which are owned by a common owner and together comprise two or more acres, situated exclusively within a Reserve (RES) Zoning District established under the Zoning Code of Storm Lake, Iowa, is permitted if the following conditions are satisfied:

1. Materials burned consist of brush, including twigs, removed or fallen tree limbs, fallen leaves, and removed shrubs, but excluding grass and grass clippings, other yard waste and garden waste.

2. Wind speeds are 20 miles per hour or less.

3. The fire is not closer than fifty (50) feet to any structure.

4. The fire is not under drought conditions when the Fire Chief has proclaimed a ban on such a fire.

The following items also shall not be burned in a fire otherwise permitted under this Subsection D: rubbish; trash; paneling; treated lumber; construction debris; materials containing glass, paint, or solvents; and materials or vegetation that contain high moisture or sap content which may produce noxious fumes or dense smoke.

(Ord. 01-O-2016-2017, Amended, 09/06/2016; Ord. 08-O-2012-2013, Amended, 04/15/2013; Ord. 02-O-2003-2004, Amended, 09/02/2003; Ord. 06-O-2001-2002, Amended, 11/19/2001)

Section 7-2-3 Municipal Infraction

A violation of the provisions of this Chapter shall constitute a Municipal infraction subject to the penalties and alternative relief authorized by Title 1, Chapter 20 of this Code and by Section 364.22 of the Code of Iowa.