

**ORDINANCE NUMBER 1115 SUPPLEMENTAL
AMENDING CHAPTER 127 OF THE
CODE OF ORDINANCES**

Chapter 127, Article II of the Code of Ordinances is hereby amended as follows:

Sec. 127-5. [Outdoor fires restricted.

No person shall, without written permission of the Chief of the Fire and Rescue Department of the city or of the Fire Marshall or of a Chief of a volunteer fire company, make or cause to be made within the city any outdoor fire; but such permission shall not be required for the kindling of a fire in a covered metal container with no opening over one and one half (1 ½) inches wide or in a fireplace constructed of noncombustible material, such fireplace being provided with a flue screen. No permit shall be granted for the kindling of any outdoor fire between sunset and sunrise. The person kindling a fire under this section is in no way relieved of legal responsibility if the fire is allowed to escape or cause damage to property of another.]

Open burning prohibited.

A. Definitions.

1. ***Open burning*** is the kindling of an outdoor fire to burn any material but shall not include:
 - a. **Barbecues or other outdoor open fires in fireplaces or otherwise using wood, charcoal or gaseous fuels for the cooking of food for human consumption;**
 - b. **Campfires, bonfires, and other fires for purely ceremonial or recreational purposes, provided only nonprocessed wood is used and the burning is conducted so as not to create a nuisance.**
2. ***Open burning official*** is a person appointed by the Mayor and certified by the state fire commissioner as in conformance with Connecticut General Statutes § 22a-174(f).

B. Prohibition of Open Burning of Brush. The open burning of brush on residential property is prohibited.

C. Prohibition of Other Open Burning Except as Permitted by State Law and Regulations. All other open burning of any material is prohibited, unless otherwise specifically permitted by Connecticut General Statutes Sec 22a-174(f) or Section 22a-174-17 of the Regulations of Connecticut State Agencies, as the same may be amended from time to time.

D. Lawfully Permitted Open Burning. The open burning official may issue a certificate for open burning, in accordance with the Connecticut General Statutes § 22a-174(f) and Section 22a-174-17 of the Regulations of Connecticut State Agencies, as the same may be amended from time to time. Any person wishing to obtain an open burning certificate shall complete an application in a form satisfactory to the open burning official. If an open burning certificate is issued, a copy shall be forwarded to the health department and the police department. Any such certificate may impose restrictions and limitations so as not to create a nuisance or fire hazard.

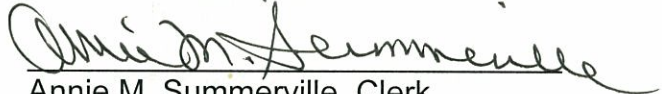
All permitted open burning must be conducted in accordance with all applicable Statutes and Regulations.

E. Violations. Any person who conducts unlawful open burning or open burning without an open burning certificate where required, or violates any conditions of an open burning certificate shall be fined two hundred dollars (\$200.00), enforceable by citation, and the fire shall be extinguished by the fire department.

Randall M. Skigen, President, and Annie M. Summerville, Clerk, do hereby certify that the foregoing ordinance was approved by a machine vote of 31-2-5 by the 28th Board of Representatives at the Meeting held on May 3, 2010.



Randall M. Skigen, President
Dated this 11th day of May, 2010



Annie M. Summerville, Clerk
Dated this 11th day of May, 2010



Michael A. Pavia, Mayor, City of Stamford
Dated this 14th day of May, 2010

EFFECTIVE DATE: May 24, 2010

cc: Mayor Michael A. Pavia
Fred Flynn, Director of Administration
Ernie Orgera, Director of Operations
Michael Larobina, Esq., Director of Legal Affairs
Donna Loglisci, Town Clerk