

2/18/10

Proposed Amendment to Clarify Permitted Fires.

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.

Open burning is the kindling of an outdoor fire to burn any material but shall not include barbecues or fireplaces using wood, charcoal or gaseous fuels for the cooking of food for human consumption or for purely recreational purposes.

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. The outdoor burning of any material, [unless otherwise permitted by Connecticut General Statutes Sec 22a-174\(f\) or Section 22a-174-17 of the Regulations of Connecticut State Agencies](#), shall be prohibited except as specifically provided in this Section.

C. The open burning of brush on residential property conducted by the resident of the property or the agent of the resident is allowed provided a permit is obtained from the open burning official. No permit shall be granted for open burning between sunset and sunrise. The person conducting the open burning is in no way relieved of legal responsibility if the fire is allowed to escape or cause damage to property of another.

D. An open burning permit may be obtained from and issued by the open burning official in accordance with the Connecticut General Statutes § 22a-174(f) and the Connecticut Department of Environmental Protection regulations and guidelines.

E. Any person wishing to obtain an open burning permit shall complete an application in a form satisfactory to the open burning official. If an open burning permit is issued, a copy of the permit shall be forwarded to the health department and the police department. Any such permit may impose restrictions and limitation so as not to create a nuisance or fire hazard.

F. All permitted open burning must be conducted in accordance with Section 22a-174-17 of the Regulations of Connecticut State Agencies, as amended.

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

Sec. 127-6. Untended outdoor fires prohibited.

No person shall leave any outdoor fire unattended.

Sec. 127-7. Closing of woodlands.

Whenever it shall appear to the Mayor that, by reason of extreme drought, there is danger of forest fires, he may proclaim that any or all sections of woodland and brushland in the city shall be closed, for any such time as he may designate, to all persons except the owners or tenants of such woodlands and their agents and employees. As soon as the woodlands shall be deemed free from any danger of fire, the Mayor may revoke his proclamation. Any person, except as provided herein, who shall enter upon forest or brushland during the period covered by the Mayor's proclamation shall be fined not less than five dollars (\$5.) nor more than one hundred dollars (\$100.). No permission shall be given under § 127-5 during the period of the

Mayor's proclamation, and any permission previously granted shall be automatically canceled by the Mayor's proclamation.

Sec. 127-8. Reward for false alarm information.

Any person who shall give information leading to the arrest and conviction of any person for turning in a false alarm of fire shall receive from the city a reward of thirty-five dollars (\$35.). This ordinance shall take effect upon enactment.

Attest:

Gloria G. DePina, Co-Chair, Public Safety & Health Committee Scott Mirkin, Co-Chair,
Public Safety & Health Committee Annie M. Summerville, Clerk, 27th Board of
Representatives