

ORDINANCE NO. 879

**AN ORDINANCE OF THE CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA
AMENDING CHAPTER 30 – FIRE PREVENTION AND PROTECTION, ARTICLE III. OPEN
BURNING, OF THE BAYPORT CITY CODE OF ORDINANCES**

THE CITY COUNCIL OF THE CITY OF BAYPORT DOES HEREBY ORDAIN:

Section 1. Chapter 30 – Fire Prevention and Protection, Article III. Open Burning, is hereby amended by deleting the same in its entirety and substituting the following therefore:

Sec. 30-59. Recreation fires.

Recreation fires shall be permitted subject to the following rules and regulations:

- (1) Recreation fires shall have a maximum size of 36 inches in diameter at the base of the fire, and a maximum of 24 inches in height.
- (2) Recreation fires shall be contained in a pit, the diameter of which shall be a maximum of 36 inches, and the perimeter of which shall consist of rock, brick, or other noncombustible material.
- (3) Recreation fires must be at least 10 feet from any property line that abuts another private property or public property that contains public facilities.
- (4) Recreation fires must be attended by a person at least 18 years of age at all times. It shall be unlawful to have a recreation fire burning without such a person present and attending the fire.
- (5) Recreation fires shall not be permitted closer than 25 feet to any building.
- (6) Only dry, clean firewood may be burned in a recreation fire. Use of fire starter aids are limited to dry, untreated kindling and branches, paper, cardboard, or charcoal.
- (7) No person shall burn the following in a recreation fire:
 - Grass clippings or leaves
 - Garbage, trash, rubbish, litter, or solid waste
 - Organic waste
 - Animal residue or waste
 - Tires
 - Treated, painted, varnished, or coated lumber
 - Green or fresh cut wood
 - Plastic
 - Paper or cardboard, except as provided in (6)
- (8) The use of any fire accelerants for a recreation fire, including, but not limited to gasoline, oil, lighter fluid, petroleum products, or alcohol is prohibited.
- (9) Water, sand, or other material or device to extinguish a recreation fire must be readily available at all times.
- (10) Recreation fires are not permitted when area winds exceed 15 miles per hour or when a burning ban has been issued that includes recreation fires.
- (11) Recreation fires must be completely extinguished, producing no heat or visible burning hot coals or embers, prior to being left unattended.

- (12) Recreation fires posing a nuisance as defined by subsection 26-27 (11) or which generate flying embers posing a hazard to property must be suppressed or extinguished. Property owners are subject to citation for permitting fires posing a nuisance as defined by section 26-27 (11).
- (13) Recreation fires shall only be permitted between the hours of 10:00 a.m. and 12:00 a.m. daily for a duration up to 6 consecutive hours.

Section 2. This ordinance shall be in full force and effect from and after its passage and publication according to law. Passed by the Bayport City Council this 5th day of October 2020.

Susan St. Ores, Mayor

ATTEST:

Adam Bell, City Administrator