



## **Chapter 14 - Open Burning**

### **ARTICLE I - PURPOSE**

The purpose of this article is to define and regulate outside burning within the City of Winooski.

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### **ARTICLE III - GENERAL PROVISIONS**

#### **SECTION 14.01. - DEFINITIONS**

RECREATIONAL FIRES – shall mean the non-commercial burning of materials, other than rubbish, for pleasure, where the fuel burned is not contained in an incinerator, barbecue grill or barbecue pit and the TOTAL fuel area is not exceeding three (3) feet in diameter and two (2) feet in height.

COOKING FIRES – shall mean fires that are kindled for the purpose of cooking food. These fires are typically fueled by charcoal, liquefied propane gas, or natural gas. Generally cooking fires shall be contained in a receptacle of a type normally used for outdoor cooking purposes.



BONFIRES – shall mean ANY outside burn that exceeds the size limitations as defined in “RECREATIONAL FIRES.”

AUTHORITY HAVING JURISDICTION (AHJ) – shall mean an organization, office, or individual responsible for enforcing the requirements of a code or standard, or for approving equipment, materials, an installation, or a procedure.

## **SECTION 14.02 - RECREATIONAL FIRES**

Recreational Fires shall NOT require a permit if property is owner-occupied. Recreational Fires shall be permitted on non-owner occupied properties upon issuance of a Recreational Fire permit, and written permission of the current owner of record shall be provided. All Recreational Fires shall be subject to the following requirements:

1. Recreational Fires shall not be kindled within ten (10) feet of any structure. A fire shall not be kindled in a manner or in conditions that may lead to an out of control burn. This includes the selection of a location that is unsuitable for a controlled fire, burning during high winds, or drought conditions.
2. Material to be burned shall be only natural wood products. The material shall not be painted or treated. No burning of trash shall be permitted.
3. A garden hose attached to an active faucet shall be available to extinguish a fire at all times.
4. All Recreational Fires shall be extinguished when not attended.
5. Recreational Fires shall only be kindled between the hours of 1600 hrs. and 2300 hrs.
6. Recreational Fires can be ordered extinguished at any time by the AHJ if s/he judges the fire or conditions under which the burning occurs to be a threat to public safety, health or property.



**SECTION 14.03 - COOKING FIRES**

Cooking Fires shall NOT require a permit, and shall be subject to the following requirement:

1. No fire for the purpose of cooking, or for any other purpose, shall be kindled on any deck, porch, or platform or under any overhanging portion or within ten (10) feet of any structure that is attached to a building.

**SECTION 14.04 - BONFIRES**

Bonfires SHALL require issuance of permit, and shall be subject to the following requirements:

1. Location shall be approved by AHJ.
2. Material(s) to be burned shall be inspected and approved by AHJ.
3. A garden hose attached to an active faucet shall be available to extinguish a fire at all times.
4. All Bonfires shall be extinguished when not attended.
5. Bonfires can be ordered extinguished at any time by the AHJ if s/he judges the fire or conditions under which the burning occurs to be a threat to public safety, health or property.

**SECTION 14.05 - PERMITS**

1. Issued permits shall indicate dates, times and emergency contact information.
2. Permits may be restricted by AHJ.

**SECTION 14.06 - BURNING OF REFUSE OR USE OF INCINERATORS.**

1. The burning of refuse or the use of any type of incinerator is strictly forbidden within the city.
2. A violation of Section 14.06.1 will be a Criminal Offense and subject to criminal penalties and enforcement as provided for in Chapter 1, Section 1.11of the Winooski City Code.



**ARTICLE IV. – PENALTIES**

1. Unless otherwise stated, a violation of this Article shall be subject to civil penalties and enforcement as provided for in Chapter 1, Section 1.11 of the Winooski City Code.
2. Fires started in violation of this article will be extinguished by the city and all costs associated with the city response will be assessed to the homeowner or landlord.
3. There shall be a prima facie presumption that the owner, tenant or person in charge of the premises where said fire is kindled, kindled the fire and is responsible.

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