

## VILLAGE OF EDEN

### ORDINANCE REGULATING THE USE AND OPERATION OF OUTDOOR FIRE PITS AND FIRE PLACE

The Village Board of the Village of Eden, do ordain as follows:

For the Health, Safety, Convenience and General Welfare of the Residents of the Village of Eden, and in Compliance with County Ordinances and the Laws of the State of Wisconsin, this Ordinance will establish rules and regulations for the use of outdoor fire pits and outdoor fire place.

SECTION 1. No recreational fire may be started or allowed to continue burning unless such recreational fire is fully contained within an approved fire pit or outdoor fireplace.

- A. An approved fire pit is any below ground dug pit not greater than 48 inches inside diameter (inside edge of the pit to the inside edge); lined with non-combustible material, soil, metal or stone; a minimum of 6 inches deep; and, ringed on the outer diameter with stone, brick or concrete or up to 3ft by 4ft if non circular.
- B. An outdoor fireplace is any commercially available appliance designed to contain a wood fire when operated according to manufacturer's instructions with all lids, screens and spark arresting devices in place; or permanent fireplace structure built entirely of non-combustible materials designed with spark arrestors and screens to contain a wood fire.

SECTION 2. No recreational fire pit shall be closer than 25 feet from any dwelling, building structure, shed or garage or closer than 10 feet from any wooden fence, deck or combustible material. Commercially available outdoor fireplace appliances shall not be within 10 feet to any structure or combustibles; all recreational fires are to be set back a minimum of 6 feet from adjoining property lines.

SECTION 3. No recreational fire shall be started or allowed to continue burning when the wind direction or wind speed is such that it likely will cause embers or other burning material to be carried to any building or combustible material; nor any time that the wind direction will likely carry smoke into the open windows of any dwelling or building. Smoke from any recreational fire shall not create a nuisance or likely spread of fire to other neighboring properties. Fires shall be completely extinguished when police or fire department investigation determines a nuisance is present.

SECTION 4. Fuel for outdoor recreational fires shall consist of natural wood or manufactured fire log material only and may not include leaves, rubbish, garbage, trash, construction materials, any materials made of or coated with rubber or plastic, leather or petroleum based materials and may not contain any flammable or combustible liquids. Flammable or combustible liquids, except for commercial charcoal lighting fluids, may not be used to aid in starting any outdoor fire.

SECTION 5. Recreational fires shall be constantly attended and supervised by a competent person at least 18 years of age until the fire has been completely extinguished. The means for extinguishing any fire (as deemed necessary by the Fire Chief) must be kept immediately available at all times when a recreational fire is burning. - Proper fire extinguisher equipment includes: a garden hose, shovels, water buckets or an ABC rated fire extinguisher at least 10 lb. capacity.

SECTION 6. Any party who starts or maintains a recreational fire that is allowed to burn out-of-control shall be held responsible for paying any costs associated with fire control efforts to extinguish the fire, and pursuant to § 66.0627 such charges may be levied as a special charge against real property for current services rendered to such property.

SECTION 7. Recreational fires shall be permitted as follows:

- A. Sunday through Thursday from 11:00 a.m. to 11:00 p.m.
- B. Friday through Saturday from 11:00 a.m. to 12:00 a.m.
- C. Any day/evening preceding a federal holiday from 11:00 a.m. to 12:00 a.m.

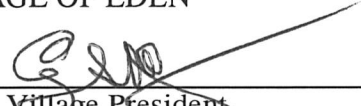
SECTION 8. Penalties: In addition to the charges provided for in Section 6 and person violating this ordinance shall be subject to a forfeiture of not less than \$ 50.00 nor more than \$500.00 plus cost of prosecution.

This ordinance shall become effective upon adoption and publication.

Adopted this 18<sup>th</sup> day of September, 2018


VILLAGE OF EDEN

By: \_\_\_\_\_

  
Village President

ATTEST:

By: \_\_\_\_\_

  
Village Clerk