

Burn Ordinance

CITY OF MACOMB



macomb
illinois

Small-town living. Community *driven*.

Summary of Burn Ordinance

Allowed without permit:

- **Recreational Fires that are smaller than 3 feet in diameter and 2 feet in height and shall not be within 25ft of any structure or any other combustible material. Recreational fires may only contain small sticks and limbs from trees.**
- **Portable outdoor fireplace shall be at least 15 feet from any structure.**
- **Any fire declared a nuisance must be extinguished.**
- **All Fires must be attended to until extinguished.**

Allowed with an Operational Burn permit:

- **Bonfire so long as it is a minimum distance of 50 feet away from any structure or other combustible material.**
- **Open burning for silvicultural or range or wildlife management practices, prevention or control of disease or pests as long as it is 50 ft or more away from any structure and it cannot spread to within 50 ft of a structure.**
- **All fires must be attended until extinguished.**
- **All fires must be extinguished at 10pm.**

Burn Permits can be found [here](#).

Prohibited at all times:

- **Burning on any street in the city**
- **Open Burning of any Material in the downtown square area located between Campbell to the East, McArthur to the West, Adams to the North, And Jefferson to the South.**
- **Burning any garbage, grass clippings, leaves, rubbish or other refuse out of doors anywhere in the city.**

Ordinances:

Sec. 10-2. - Outside burning.

(a) It shall be unlawful for any person to burn any combustible material upon any street in the city.

(b) No person shall burn any combustible material out of doors within the area bounded on the east by Campbell Street, on the south by Jefferson Street, on the west by McArthur Street and on the north by Adams Street and the extension of the south line thereof eastward from Randolph Street to Campbell Street, unless such material is burned in a closed incinerator equipped with a flue covered with a spark arrester constructed of metal screen with a mesh not greater than one-half inch on a side, which incinerator shall be located at least 20 feet from any building.

(c) It shall be unlawful to build any fire that is not so completely enclosed as to prohibit the escape of flames, sparks or hot ash when a fire ban has been declared by either the city council or the fire department.

(d) No person shall burn any garbage, grass clippings, leaves, rubbish or other refuse out of doors anywhere in the city.

(Code 1972, § 10-4; Ord. No. 2860, § 1, 3-18-02)

Section 202 General Definitions. The following words and terms shall, for the purposes of this chapter and as used elsewhere in this code, have all the meanings shown herein.

Bonfire. An outdoor fire burning materials other than rubbish, grass clippings, and leaves utilized for ceremonial purposes.

Open burning. The burning of materials other than rubbish, grass clippings and leaves wherein products of combustion are emitted directly into the ambient air without passing through a stack or chimney from an enclosed chamber. Open burning does not include road flares, smudge pots and similar devices associated with safety or occupational uses typically considered open flames or recreational fires. For the purpose of this definition, a chamber shall be regarded as enclosed when, during the time combustion occurs, only apertures, ducts, stacks, flues or chimneys necessary to provide combustion air and permit the escape of exhaust gas are open.

Recreational fire. An outdoor fire burning materials *other than rubbish, grass clippings and leaves* where the fuel being burned is not contained in an incinerator, outdoor fireplace, barbeque grill or barbeque pit and has a total fuel area of 3 feet (914 mm) or less in diameter and 2 feet (610 mm) or less in height for pleasure, religious, ceremonial, cooking, warmth or similar purposes.



Ordinances Cont'd:

105.1.2 Types of permits. There shall be two types of permits as follows:

1. **Operational permit.** An operational permit allows the applicant to conduct an operation or a business for which a permit is required by Section 105.6 for either:

1.1. A prescribed period.

1.2. Until renewed or revoked.

105.6.32 Open burning. An operational permit is required for the kindling or maintaining of an open fire or a fire on any public street, alley, road, or other public or private ground. Instructions and stipulations of the permit shall be adhered to.

Exception: Recreational fires on private property

SECTION 307 OPEN BURNING, RECREATIONAL FIRES AND PORTABLE OUTDOOR FIREPLACES

307.1 General. A person *shall not* kindle or maintain or authorize to be kindled or maintained any open burning unless conducted and *approved* in accordance with Sections 307.1.1 through 307.5.

307.1.1 Prohibited open burning. Open burning shall be prohibited when atmospheric conditions or local circumstances make such fires hazardous.

Exception: Prescribed burning for the purpose of reducing the impact of wildland fire when authorized by the *fire code official*.

307.2 Permit required. A permit shall be obtained from the *fire code official* in accordance with Section 105.6 prior to kindling a fire for recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests, or a bonfire. Application for such approval shall only be presented by and permits issued to the *owner* of the land on which the fire is to be kindled.

307.2.1 Authorization. Where required by state or local law or regulations, *open burning* shall only be permitted with prior approval from the state or local air and water quality management authority, provided that all conditions specified in the authorization are followed.

307.3 Extinguishment authority. Where open burning creates or adds to a hazardous situation, or a required permit for open burning has not been obtained, the *fire code official* is authorized to order the extinguishment of the open burning operation.

307.4 Location. The location for *open burning* shall be not less than 50 feet (15 240 mm) from any structure, and provisions shall be made to prevent the fire from spreading to within 50 feet (15 240 mm) of any structure.

Exceptions:

1. Fires in approved containers that are not less than 15 feet (4572 mm) from a structure.
2. The minimum required distance from a structure shall be 25 feet (7620 mm) where the pile size is 3 feet (914 mm) or less in diameter and 2 feet (610mm) or less in height.



Ordinances Cont'd:

307.4.1 Bonfires. A bonfire shall not be conducted within 50 feet (15 240 mm) of a structure or combustible material unless the fire is contained in a barbecue pit. Conditions that could cause a fire to spread within 50 feet (15 240mm) of a structure shall be eliminated prior to ignition.

307.4.2 Recreational fires. Recreational fires shall not be conducted within 25 feet (7620 mm) of a structure or combustible material. Conditions that could cause a fire to spread within 25 feet (7620 mm) of a structure shall be eliminated prior to ignition.

307.4.3 Portable outdoor fireplaces. Portable outdoor fireplaces shall be used in accordance with the manufacturer's instructions and shall not be operated within 15 feet (3048 mm) of a structure or combustible material.

Exception: Portable outdoor fireplaces used at one and two-family dwellings.

307.5 Attendance. Open burning, bonfires, recreational fires and use of portable outdoor fireplaces shall be constantly attended until the fire is extinguished. Not fewer than one portable fire extinguisher complying with Section 906 with a minimum 4-A rating or other approved on-site fire-extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization.

