

CITY OF SOUTH MILWAUKEE
CHAPTER 27
FIRE PREVENTION, PROTECTION, AND CONTROL CODE
Section 27-15 MISCELLANEOUS USE PROVISIONS

(5) OPEN BURNING.

(a) **LIMITATIONS.** Burning of any kind is restricted. Open air burning of yard waste shall be allowed only by permit from the Fire Department. A fee may be required.

(b) **PERMISSIBLE BURNING.**

1. **Grills:** For other than one and two family dwellings, no hibachi, gas-fired grills, charcoal grill or similar devices used for cooking, heating, or any other purpose shall be used or kindled on any balcony or under any overhanging portion of a building. Grilling on ground level is permissible provided that the grill is at least 10 feet away from any structure. Listed electrical ranges, grills or similar electrical apparatus shall be permitted.

2. Recreational fires and Permit-required Open Fires shall comply with the requirements of NFPA 1 and the following requirements:

a. **Recreational Fires:**

1) Fires shall be contained to manufactured fire pit appliances that shall be listed by a nationally recognized testing organization or acceptable to the AHJ and used according to the manufacturer's recommendations. At a minimum, appliances shall have spark arresting screens encompassing the entire unit and a non-combustible cover that are both in place while the unit is in operation.

2) Appliances shall be positioned on a non-combustible surface and at least 25 feet from any building, combustible structure, such as decks or fences, and/or combustible materials such as trees or shrubbery and shall not be used on any balcony or under any overhanging portion of a combustible surface.

3) With the exception of newspaper for kindling the fire, only wood may be burned with a minimum 1 inch diameter. No brush, yard waste, treated wood or other refuse or rubbish may be burned.

4) Flammable or combustible liquids shall not be used to ignite the fire.

5) The fire must be located on your own property. If there is an easement area, you must have approval from all involved parties.

6) Fires are not allowed if winds are in excess of 10 miles per hour.

7) Hours for recreational fires are limited to 7:00 a.m. – 12:00 a.m.

b. **Permit-required Open Fires**

1) Permit-required open fires shall be located not less than fifty (50) feet from any structure.

2) Materials to be burned shall be approved by the AHJ.

3) Flammable or combustible liquids shall not be used to ignite the fire.

3. All fires must be supervised at all times by an adult and have the proper means available to extinguish the fire. No fire shall be left unattended.

4. Any police officer or fire department member may withdraw permission for recreational or permit-required fires due to climatic conditions, extreme dryness, nuisance problems, or violations of this code and may require immediate extinguishment of the fire.