

CHAPTER 96: FIRE PREVENTION

Section

96.01 Fuel oil tanks

96.02 Open fires

Cross-reference:

Motor vehicles impeding fire fighting as nuisances, see § 95.04

§ 96.01 FUEL OIL TANKS.

(A) *Installation of tanks.* No person shall connect, alter, or use any fuel oil tank in any building or structure in the city unless the tanks shall be equipped with proper overflow pipes, outlets, and vents such as shall conform to the Safety Code of the Fire Underwriters Laboratories. ('75 Code, § 11.401)

(B) *Filling of tanks.* No person shall fill any tank in any building not equipped as specified in subsection (A). ('75 Code, § 11.402)

Penalty, see § 10.99

The City of Benson does ordain:

Section 96.02 is hereby amended as follows:

§ 96.02 OPEN BURNING.

(A) *Open Burning Prohibited.* Except as otherwise permitted by this section, all open burning is prohibited within the geographical or ~~fire~~ limits of the City of Benson.

(B) *Recreational Fires and Mobile Cooking Devices.* Recreational Fires and Mobile Cooking Devices are permitted in the City of Benson except as otherwise set forth herein.

(C) *Definitions.*

OPEN BURNING means a fire burning in matter, whether concentrated or dispersed, which is not contained within a fully enclosed firebox or structure from which the products of combustion are emitted directly to the open atmosphere without passing through a stack, screen, duct or chimney.

STARTER FUELS mean dry, untreated, unpainted wood and kindling.

WOOD means dry, clean fuel only such twigs, branches, limbs, "presto logs", charcoal, cord wood or untreated dimensional lumber. "Wood" does not include wood that is green, leaves or needles, rotten, wet, oil soaked or treated with paint, glue or preservatives.

RECREATIONAL FIRE means a fire set with approved starter fuels no more than three (3) feet in height, contained within a pit, portable fire pits, and portable fireplaces passing through a stack, screen, duct or chimney. The use of a unit under an overhang is prohibited. A portable outdoor fireplace or fire pit must be located a safe distance from any structure. No portable outdoor fireplace or fire pit may be located on or beneath any balcony, stairway or similar outdoor projection. Only dry, clean wood; producing little detectable smoke, odor or soot; conducted with an adult tending the fire at all times; for recreational, ceremonial, food preparation or social purposes; extinguished completely before quitting the occasion; and respecting weather conditions, neighbors, burning bans, and air quality so that nuisance, health or safety hazards will not be created. If a county-wide fire ban is announced, no recreational fires are permitted.

MOBILE COOKING DEVICES means devices such as manufactured hibachis, charcoal grills, wood smokers and propane gas devices and are not defined as recreational fires.

(D) *Recreational Burning.* Recreational fires are permitted under the following conditions:

(1) Burning shall occur between 9:00 A.M. and 12:00 midnight during any day of the week.

(2) The fire shall not exceed three (3) feet in diameter and a flame height of approximately three (3) feet and shall be contained in a pit, portable fire pits, and portable fireplaces passing through a stack, screen, duct or chimney.

(3) Only natural firewood less than two feet in length may be burned. No burning of trash, leaves or brush is allowed.

(4) The use of flammable or combustible liquids is not permitted.

(5) The fire is constantly attended by a person knowledgeable in the use of fire-extinguishing equipment and that person supervises the fire until the fire has been totally extinguished.

(6) Fire-extinguishing equipment such as a fire extinguisher, buckets, shovels, or garden hoses, are readily available.

(7) Recreational fires must be conducted at a safe distance from any structure.

(8) Recreational fires are not permitted on commercial or

industrial sites with construction activity.

(9) Police officers, fire officials or building official are authorized to require that a recreational fire be immediately extinguished if it is determined that the fire is not in compliance with the above rules, the smoke is offensive to neighbors or the burning is determined to constitute a hazardous condition.

Penalty, see § 10.99.