

## GENERAL ORDINANCE # 6, 2017

Sponsor: Vito Mascari

*General Ordinance # 6, 2017*, is an Ordinance that amends Chapter 94 and Chapter 98 of the Code of Ordinances of the City of Beech Grove as it pertains to Open Burning.

**WHEREAS**, residents of the City of Beech Grove, are not permitted to burn trash, rubbish, leaves and other foliage; and

**WHEREAS**, residents on occasion enjoy cooking out, having wiener roast and sitting around a small fire during the course of an evening; and

**WHEREAS**, residents who live in apartment complexes should confer to apartment management, concerning open fires.

**WHEREAS**, residents should not be constrained by representatives of local government should they desire to have a "small" campfire in their backyards.

**NOW THEREFORE BE IT AFFIRMED** that the Common Council desires to amend Chapter 94 and Chapter 98 of the Code of Ordinances of the City of Beech Grove.

**NOW THEREFORE BE IT FURTHER AFFIRMED** that the Common Council desires the following amendments be added to the Code of Ordinances.

### DELETE IN ITS ENTIRETY

**Section 94.180      OPEN BURNING**

**Section 94.081      SPECIAL PERMITS**

**ADD THE FOLLOWING AMENDMENTS AS FOLLOWS:**

**Section 98.02 ILLUSTRATIVE ENUMERATION**

(L) No person shall kindle or maintain any bonfire or burn leaves, rubbish or dispose of any refuse by open burning, or such fire, or authorizes any such fire to be kindled or maintained on or in any street, alley, road, land or public grounds.

(L.1) No person shall kindle or maintain any bonfire, burn leaves, trash or rubbish on any private land or dispose of unwanted goods by open burning on private land. (see subsection L.2 for exclusions.)

(L.2) Special small fires for the purpose of wiener roast, hog roast and other specialty cooking with open flame is permitted, provided the open fire is contained in an approved container with access to a lid, or is in the ground 6 inches in depth, surrounded by cement blocks or bricks extending at least 6 inches in height. The fire pit may not exceed an internal diameter of 48 inches.

(L.3) Public Safety Agencies upon notification may have cause to conduct an inspection and if conditions are unsafe may ask for you to extinguish the fire.

(L.4) The fire pit must be 15 feet away from any residential structures including houses, garages and barns. It must also be 15 feet away from overhead utility lines. This is determined by measuring the point on the ground in which the utility crossed and measuring to the fire pit.

(L.5) An operable garden hose and / or a 5 gallon bucket of water must be readily available to extinguish the fire if necessary.

(L.6) A person over the age of 18 must be present at the residence when a bonfire is lit.

**NOW THEREFORE BE IT AFFIRMED** that the Common Council desires to amend Chapter 94 and Chapter 98 of the Code of Ordinances for the City of Beech Grove.

**NOW THEREFORE BE IT FURTHER AFFIRMED** that this Ordinance only applies to the above mentioned changes in Chapter 94 and Chapter 98 of the Code of Ordinances for the City of Beech Grove.

**NOW THEREFORE BE IT FURTHER AFFIRMED** that this Ordinance shall go into effect immediately after passage by the Common Council, signed by the Council President Pro-Tem, attested by the Clerk Treasurer and signed by the Mayor.