

POLICY FOR OPEN BURNING

The City of Polk City has adopted the International Fire Code which allows for recreational fires as long as the following regulations are followed. A permit is not required for a recreational fire. See general information and definitions below.

Prohibited open burning. Open burning shall be prohibited except as allowed by ordinance and as set out below. Polk City Fire and Police Enforcement personnel are authorized to order the extinguishment of open burning.

Recreational Fire. An outdoor fire burning materials other than rubbish/refuse where fuel being burned is not contained in an incinerator, outdoor fireplace, barbeque grill or barbeque pit and **has a total area of 3 feet or less in diameter and 2 feet or less in height** for pleasure, religious, ceremonial, cooking, warmth or similar purposes.

Bonfire. An outdoor fire utilized for ceremonial purposes with a pile size exceeding the recreational fire limits. Approval and a permit shall be obtained from the Fire Chief prior to kindling a bonfire.

Approved container. A non-combustible fireplace, pit or other non-combustible wood-burning appliance system (kiva, chimenea etc) provided all openings are protected with spark arrestors constructed of heavy iron, heavy wire mesh or other non-combustible material with openings no larger than 1/4".

Locations for open burning:

- Recreational fires shall be at least 25 feet from structures, combustibles and property lines.
- Fires in approved containers shall be at least 15 feet from structures, combustibles and property lines
- Bonfires shall be at least 50 feet from structures, combustibles and property lines and require a permit.

Attendance:

- The fire shall be attended by a responsible adult at all times.
- The attendant shall be knowledgeable in the use of fire extinguishing equipment.
- The attendant shall supervise the fire until it has been fully extinguished.

Fire extinguishment equipment options:

- 4-A (minimum rating) portable fire extinguisher
- Water hose
- Dirt, sand, water barrel

Fuels Permitted:

- Untreated wood, logs, branches
- Coal
- Auxiliary fuel or incendiary devices may be used to ignite the burning allowed by this section, provided that:
 - (a) No oil heavier than number two diesel shall be used; and
 - (b) No more than the minimum amount of auxiliary fuel necessary to complete the burn shall be used.

Fuels Not Permitted:

Rubbish/refuse such as - painted/stained/treated wood, garbage, rubbish, vegetation, grass clippings, leaves, rubber, plastic, flammable/combustible liquids (paint, used oil etc)

For informational purposes only – listed are the open burning regulations and ordinance for the City of Polk City.

No person shall allow, cause or permit open burning of combustible materials where the products of combustion are emitted into the open air without passing through a chimney or stack without first obtaining a permit and conducting such burning in accordance with the *International Fire Code*. Any official ban on burning issued by the Fire Chief or by Polk County shall supersede this provision.

The following open burning shall be allowed subject to any adopted policy of the City Council:

1. Burning of landscape waste, prairie grass, or other waste within an agricultural zone, or within other areas with unusual circumstances to be determined at the discretion of the Fire Chief, provided that a permit has been approved by the Fire Chief. Burning is not allowed within 250 feet of a residential structure. Burning is subject to all policies established by the City Council.
2. Burning of recreational fires within a fire pit or other protective structure.
3. In the event of a natural disaster, burning may be approved by the Fire Chief.
4. The Fire Chief is further authorized to permit an open fire for the following purposes and subject to the provisions set forth in this ordinance:
 - a. City crews operating under the authority of the department of public services.
 - b. The instruction of public employees in methods of fighting fires.
 - c. On private property used for industrial purposes for the instruction of employees in the methods of fighting fires.
 - d. For public gatherings under the legitimate sponsorship of civic, fraternal, religious, educational or similar organizations.
 - e. Fires set for the purpose of a bonafide training of public or industrial employees in fire fighting methods, provided the Fire Chief received a written request at least one week before such action commences and is in compliance with the rules established by the State Department of Natural Resources (DNR).
5. All permits for open fire shall be filed with the Fire Chief two weeks prior to the planned date of the fire.
6. Any person who commits an act prohibited by section 105.05 shall be guilty of a misdemeanor punishable by fine as provided in Section 1.14 of this Code or shall be deemed to have committed a municipal infraction punishable by a civil penalty as provided in Chapter 3 of this Code. The first offense within a calendar year shall be deemed the first punishable offense punishable by a civil penalty not to exceed \$50. The second and each subsequent offense within a calendar year shall be a repeat offense, punishable by a civil penalty not to exceed \$100. The fire chief or his or her designated representative or any police officer is authorized to issue a civil citation to anyone violating this Section indicating such person is in violation of this Section and is subject to the penalties provided for in this Section.