

Recreational Fires; Portable & Stationary Fire Pits (part of code §91.13 Open Fires)



Recreational Fires may be allowed but shall be subject to meeting all requirements contained herein and shall be contained in a device designed to hold a recreational fire, such as an outdoor fireplace, or commercially manufactured steel or ceramic portable fireplace, including chimineas and portable fire pits, and used according to the manufacturers recommended directions.

Stationary Fire Pits may also be allowed and shall be built in a below-ground pit with a minimum depth of 10 inches and surrounded on the perimeter of the pit by a noncombustible material such as concrete block, metal or rocks with a minimum height of 10 inches above grade.

All recreational fires shall be ignited by the owner of the property on which the recreational fire is kindled. Recreational fires shall be subject to the following conditions:

- (1) **Attendance.** A responsible party, over the age of 18, shall constantly attend any recreational fire until the fire is completely extinguished. Fire extinguishing equipment shall be available for immediate use.
- (2) **Location requirements.** The location of outdoor fireplaces, commercially manufactured steel or ceramic portable fireplaces, including chimineas, portable and stationary fire pits, shall not be less than 15 feet from any structure.
- (3) **Dimension.** A recreational fire shall not be more than 3 feet in diameter and 2 feet in height of pile size.
- (4) The Building and Zoning Department of the Village or its designated enforcement representative may prohibit a recreational fire when he reasonable determines that it creates a nuisance from smoke or odor emissions due to atmospheric conditions or local circumstances or if such fires are hazardous and present a safety hazard to life or property. The Building and Zoning Department or its designee may order the complete extinguishment of any recreational fire that the department or its designee prohibits or any such fire that adds to a hazardous situation.
- (5) Fuel for a recreational fire will consist only of seasoned, dry firewood and be ignited with a small quantity of paper. The burning of garbage, refuse, rubbish, unseasoned firewood, commercial waste, construction debris, manure, leaves, brush, grass clippings, landscape waste, etc. and all items other than seasoned firewood is strictly prohibited.
- (6) **Penalties for offenses.** A violation of the provisions of this section shall be fined pursuant to the following for each offense; and every day's failure to comply with any such provision may constitute a separate violation:
 - (a) First offense: Minimum \$75.
 - (b) Second offense: Minimum \$150.
 - (c) Third and each subsequent offense: \$750.

Control of fires within the village. If, in the opinion of the Building and Zoning Department of the village, or its designee, weather conditions are such that the starting or continuation of burning is a risk to life, health or property within the village, they shall have the right to declare that any and all burning shall cease immediately until further notice.

Wauconda Fire District involvement. In the event the Wauconda Fire District is called to control and/or extinguish any open fire, the Wauconda Fire District shall be compensated a rate as specified in ILCS Ch. 70, § 11/f.

(1978 Code, § 7-11-13) (Ord. 88-O-41, passed 11-1-1988; Am. Ord. 2009-O-54, passed 10-20-2009)