

ORDINANCE 151

AN ORDINANCE ESTABLISHING REGULATIONS CONCERNING OPEN BURNING WITHIN THE MUNICIPALITY OF CROOKS, MINNEHAHA COUNTY, SOUTH DAKOTA.

WHEREAS, the City Council of Crooks, South Dakota, desires to protect, promote, and enhance the welfare, safety, health, and property of the general public by restricting open burning within city limits.

Section 1. DEFINITIONS

Outdoor Fireplace: A noncombustible container not to exceed 36" in height or diameter, covered with a wire screen of ½ inch or smaller mesh, or other suitable noncombustible cover so as to prevent pieces or particles from blowing away.

Fire Pit: A hole, indentation, or recess into the surrounding ground, at least 12" in depth and not to exceed 36" in diameter, which uses a non-combustible material to border such hole, indentation, or recess as to prevent nearby objects from catching fire.

Section 2. CONTAINMENT

It shall be unlawful for any person to start or maintain any fire outside of one explicitly allowed by the following regulations.

1. All fires shall be contained in an Outdoor Fireplace or Fire Pit that meets the defined specifications. Fires shall not exceed 36" in Height or Diameter.
2. Any person who operates or maintains a fire in an approved apparatus shall have a means to extinguish the fire within 25 feet of the location of the fire. Acceptable methods of extinguishment are:
 - a. A U.L. approved fire extinguisher.
 - b. A garden hose or other such immediate source of water.
 - c. A cover or lid that will extinguish the fire by removing the source of air.
3. No Outdoor Fireplace or Firepit shall be installed on any wooden deck or balcony, or any other combustible surface.

Section 3. FUEL

1. Only clean, dry seasoned firewood shall be burned. No person shall set, make, or attempt to set or make, any outdoor fire of garbage, rubbish, trash, green tree trimmings, grass, leaves, lawn refuse, petroleum products, plastics, rubber, shingles, painted or treated lumber, or any material or substance causing noxious or offensive odors, at any time of the day or night.

Section 4. SUPERVISION

1. Persons shall not leave any burning or smoldering fire unattended.
2. Fires should be completely extinguished when no longer supervised.

Section 5. EXEMPTIONS

1. Fires purposely set for the instruction or training of firefighter personnel.
2. Fires deemed necessary by the Fire Chief of the Crooks Volunteer Fire Department.

Section 6. PENALTY FOR VIOLATIONS

Violation of this Ordinance shall result in a minimum of \$50, plus costs, and each subsequent violation in the same calendar year shall result in a minimum increase in the fine of \$50, (i.e. \$50 for the first offense, \$100 for the second offense, \$150 for the third offense, etc., plus costs).

Section 7. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Adopted this 8th day of October, 2007.


First Reading: August 13, 2007

Second Reading: October 8, 2007

Final Passage & Adoption: October 8, 2007

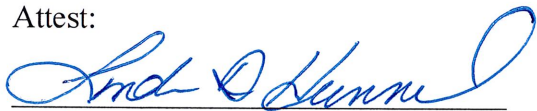
Publication Date: December 5, 2007

Effective Date: December 25, 2007



Kelly G. Finke, Mayor

Attest:



Linda D. Hunnel, Municipal Finance Officer

(MUNICIPAL SEAL)