

ORDINANCE NO. 2015-5

AN ORDINANCE PROHIBITING OPEN BURNING, AND REGULATING BURNING BY THE USE OF FIRE PITS AND DISPOSITION OF HOT ASHES AND OTHER DANGEROUS MATERIALS WITHIN THE CORPORATE LIMITS OF COOPERSTOWN AND PROVIDING FOR A PENALTY FOR VIOLATION THEREOF.

BE IT ORDAINED, by the City Council of the City of Cooperstown, North Dakota as follows:

SECTION 1: BONFIRES PROHIBITED- EXCEPTION:

No person shall kindle, maintain or assist in maintaining any bonfire or other exposed fire within the City except when done in conformance with the following safety guidelines:

- A. Charcoal grills, outdoor fireplaces, fire pits and chimineas are allowed to be operated within the City limits of the City. Outdoor fireplaces, fire pits, and chimineas must conform to the following specifications:
 - a. Have a total fuel area of three (3) feet or less in diameter and two (2) feet or less in fuel height.
 - b. Shall not exceed thirty-six (36) inches in diameter with spark arresters in place.
 - c. If the pit is part of the permanent landscape design the fire pit should be lined with fire brick to protect the masonry from cracking and fragmenting.
 - d. Be located in a safe area placed at least fifteen (15) feet from any combustibles.
- B. Any person using such a fireplace must:
 - a. Have a fire extinguisher or water hose available at all times.
 - b. Use a spark arrestor screen to control sparks and embers.
 - c. Not leave fire unattended.
 - d. Make sure the fire is out before leaving.
 - e. Not discard ashes into a combustible container or garbage receptacle.
 - f. Not allow the smoke or odor to become offensive or objectionable to neighbors.
- C. Any person kindling, maintaining or assisting in maintaining any bonfire or other outdoor fire shall be held responsible for any damages that may occur therefrom.

D. The sole use of the fire pit shall be for recreational purposes and shall not be used for burning yard waste, garden waste, and refuse.

E. No outdoor fires of any kind shall be allowed at times when a Griggs County fire ban is in effect.

SECTION 2: DISPOSITION OF HOT ASHES AND OTHER DANGEROUS MATERIALS:

Ashes, smoldering coals or embers, greasy or oily substances and other matter liable to spontaneous ignition shall not be deposited or allowed to remain with ten (10) feet of any combustible materials or construction made up of combustible materials, except in metal or other non-combustible receptacles. Such receptacles shall be placed on non-combustible stands, unless resting on a non-combustible floor or on the ground outside the building, and shall be kept at least two (2) feet away from any combustible wall or partition.

SECTION 3: OPEN BURNING PROHIBITED:

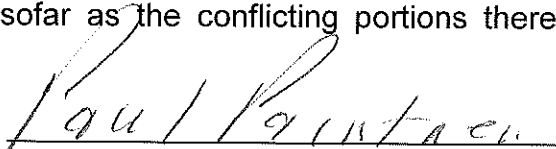
No person shall kindle, maintain or burn any garbage or other refuse either openly or in containers if such burning is prohibited by state law or proclamation.

SECTION 4: PENALTY:

Any person, firm or corporation violating any of the terms of this Ordinance shall, upon conviction, be subject to a fine of \$250.00 per occurrence.

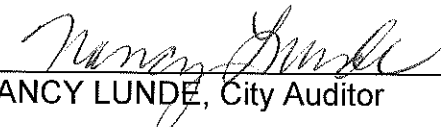
SECTION 5: CONFLICTS:

All ordinances or parts of ordinances in conflict herewith are hereby repealed insofar as the conflicting portions thereof are concerned.



PAUL PAINTNER, Mayor

ATTEST:



NANCY LUNDE, City Auditor

First Reading 12-7-15

Second Reading 1-11-16

Final Passage and Adoption 1-11-16

Publication 1-15-16