



City of
WAYNE

FIRE DEPARTMENT

POLICY FOR CONTROLLED FIRES IN THE CITY OF WAYNE

The following documents address the subject of open burning. These documents include specific language from the Wayne County Air Quality Division, City of Wayne Codified Ordinances, NFPA 1, and the AIA Fire Prevention Code.

Wayne County Air Quality: Wayne County's 1998 ordinance does not expressly prohibit open burning.

City of Wayne's Codified Ordinances:

812.06: The burning of Christmas trees on a lot for the sale of the trees is prohibited.

832.17: The burning of junk or any product resulting from the dismantling of junk or automobiles is prohibited.

1062.13: No person shall light or make use of a fire in the park system, except in such portions thereof as may be designated by the Department of Parks and Recreation for such purpose.

1060.26: No person shall burn solid waste any place in the City other than in incinerators approved by the Fire Department.

1060.27: No person shall burn any substance upon any street or alley of the City which has been surfaced with concrete or asphalt coating.

1278: This ordinance deals with pollution, and has technical measurements that we are not capable of determining for air quality. **1278.07** addresses odors that may be offensive to neighbors.

1460.07: The burning of material or debris on premises whereon wrecking operations are taking place or have taken place is prohibited.

NFPA 1, 2000 edition:

Section 3-4:

a.) Open fires shall be located **not less than 50 feet** from any structure.

b.) Open fires and cooking fires shall be constantly attended by a **competent person until extinguished**. A garden hose or other water supply shall be readily available for use.

c.) The Fire Department may prohibit all outdoor fires during a dry spell.

For the purpose of defining permitted fires;

Open Fire shall be best defined as a fire on the ground, such as a camp fire. The allowable minimum distance from the fire to a structure **SHALL BE 50 FEET**. This shall be allowed only by the approval of the Fire Marshal or his designee.

Controlled Fire shall be best defined as a fire within a manufactured enclosure that is designed to contain seasoned firewood or charcoal, such as a barbecue or a Coleman type brand portable outdoor fireplace. The allowable minimum distance from a fireplace to a structure shall be **15 feet**.

A burning barrel (55 gallon drum type) **IS NOT A CONTROLLED FIRE**, and is **PROHIBITED** from use. **burning solid waste and yard waste is PROHIBITED.**

In summary, open fires, controlled small fires and cooking fires are not specifically prohibited. There are certainly exceptions to this, and if the fire is on property not belonging to the person (parks, wooded areas, public land), is too close to a structure, is unsafe because of any other reason, or is offensive to others, we have the right to cease the burning.

It shall be the discretion of the officer to handle open burning complaints, based upon all circumstances observed.

Any question contact the fire department at 734-722-1111

Jeremie Schneider
Deputy Chief/Fire Marshal