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OPEN BURNING, RECREATIONAL FIRES AND PORTABLE OUTDOOR FIREPLACES: Section 307 of the 2009 International Fire Code

Please note:

- **You may not burn garbage, paper, processed lumber, manmade materials, grass, rubbish, trash or leaves. Recreational fires may be of sticks, firewood or charcoal only.**
- **Fires may be no larger than 3' in diameter and no more than 2' high.**

307.1 General. A person shall not kindle or maintain or authorize to be kindled or maintained any open burning unless conducted and approved in accordance with this section.

307.1.1 Prohibited Open Burning.

Open burning that is offensive or objectionable because of smoke emissions or when atmospheric conditions or local circumstances make such fires hazardous shall be prohibited.

307.3 Extinguishment Authority.

The fire code official is authorized to order the extinguishment by the permit holder (operator), another person responsible or the fire department of open burning that creates or adds to a hazardous or objectionable situation.

307.4 Location. The location for open burning shall not be less than 50 feet from any structure, and provisions shall be made to prevent the fire from spreading to within 50 feet of any structure.

Exceptions:

1. Fires in approved and listed containers that are not less than 15 feet from a structure.
2. The minimum required distance from a structure shall be 25 feet where the pile size is 3 feet or less in diameter and 2 feet or less in height. For fires larger than the above stated please reference 307.4.1 Bonfires below.

307.4.1 Bonfires. A bonfire shall not be constructed within 50 feet of a structure or combustible material unless the fire is contained in a barbeque pit. Conditions which could cause a fire to spread within 50 feet of a structure shall be eliminated prior to ignition.

Note: A bonfire permit must be obtained from the Midland Fire Department.

307.4.2 Recreational Fires.

Recreational fires shall not be conducted within 25 feet of a structure or combustible material. Conditions which could cause a fire to spread within 25 feet of a structure shall be eliminated prior to ignition.

307.4.3 Portable Outdoor

Fireplaces. Portable outdoor fireplaces shall be used in accordance with the manufacturer's instructions and shall not be operated within 15 feet of a structure or combustible material.

- **Exception:** Portable outdoor fireplaces used at one and two family dwellings.

Note: Residences consisting of three or more dwelling units may not have portable outdoor fireplaces within 15 feet of the structure, including deck and patio areas.

307.5 Attendance: Open burning, recreational fires and use of portable outdoor fireplaces shall be constantly attended until the fire is extinguished. A minimum of one portable fire extinguisher with a 4-A rating or other approved on site fire extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization.

OPEN FLAMES / COOKING DEVICES: Section 308 of the 2009 International Fire Code

308.1.4 Open Flame Cooking Devices. Charcoal burners and other open flame cooking devices shall not be operated on combustible balconies or within 10 feet of combustible construction.

Exceptions:

1. One and two family dwellings.
2. Where buildings, balconies and decks are protected by an automatic sprinkler system.
3. LP gas cooking devices having LP gas container with a water capacity not greater than 2 ½ pounds (nominal 1 pound LP gas capacity).