

CHAPTER 91: FIRE PREVENTION; FIREWORKS

Section

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§ 91.01 CONTROL OF BURNING.

(A) It shall be unlawful for any person to burn garbage or waste materials within the town.

(B) It shall be unlawful for any person to burn leaves, brush, weeds or other flammable material within the town.

(C) It shall be unlawful for any person to maintain an open fire within the town.
(1998 Code, § 7-3) Penalty, see § 91.99

§ 91.02 PROHIBITED FIRES.

(A) It shall be unlawful for any person to kindle, maintain or cause to be kindled or maintained any bonfire or rubbish fire upon any public street or alley in the town, which street or alley is covered by blacktop, concrete, chip and seal or other similar surface.

(B) It shall be unlawful for any person to kindle, maintain or cause to be kindled or maintained any bonfire or rubbish fire upon any public street, alley, road or other public ground in the town without a written permit from the Chief of the Town Fire Department. During construction or demolition of buildings or other structures, no waste materials or rubbish shall be disposed of by burning on the premises where the construction or demolition is taking place or in the immediate vicinity without a written permit from the Chief of the Town Fire Department.

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(C) It shall be unlawful for any person to kindle, maintain or cause to be kindled or maintained any bonfire or rubbish fire upon any private land unless the fire is contained in an approved burner located not less than 15 feet from any building, garage, shed, pole, fence or other structure. An approved burner shall meet the following specifications:

(1) The burner shall be so construed so as to prevent the spread of fire outside of the burner itself;

(2) The burner shall be constructed of metal or masonry with four sides and a bottom so constructed as to allow no openings, except for cleaning and draft, and these openings shall be so protected as to prevent the escape of sparks or fire; and

(3) The top of the burner shall be constructed as to allow the proper escape of smoke and gases, but shall be equipped with a spark arrestor with openings no larger than one-half inch so as to prevent the escape of sparks or other large pieces of burning matter.

(D) It shall be unlawful for any person to kindle, maintain or cause to be kindled or maintained any bonfire or rubbish fire between the hours of 7:00 p.m. and 7:00 a.m. local time.

(E) It shall be unlawful for any person to kindle, maintain or cause to be kindled or maintained any bonfire or rubbish fire unless the fire is constantly attended until the fire is extinguished. The person shall have the necessary means readily available to extinguish the fire.

(F) Any person who shall construct an approved burner or shall kindle or maintain a bonfire or rubbish fire or who shall maintain any fire shall take into consideration and abide by all public health and environmental laws, articles or regulations which may now or hereafter be passed or adopted by the appropriate state or federal authorities. Burners, bonfires or rubbish fires shall not be kindled or maintained where they constitute a public nuisance.

(1998 Code, § 5-1) Penalty, see § 91.99

§ 91.03 FIREWORKS.

(A) *Definition.* For the purpose of this section, the following definition shall apply unless the context clearly indicates or requires a different meaning.

CONSUMER FIREWORKS. Consumer fireworks as defined by I.C. 22-11-14-1.