

OUTDOOR & RECREATIONAL BURNING ORDINANCE

(Revised and Amended, approved by the Branford Representative Town Meeting, June 10, 2015, the effective date,)

§ 154-1 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

NON-PROCESSED WOOD

Non-processed wood is considered to be any untreated, natural wood up to and including rough cut lumber.

NUISANCE

A nuisance is considered to be the unreasonable, unwarranted, or unlawful use of one's property in a manner that substantially interferes with the use or enjoyment of another individual's real property, without an actual trespass or physical invasion to the land.

FIRE

For purposes of this chapter, the term "fire" shall mean:

The burning of woodland, grassland or swampland or the burning of leaves and/or other forest debris; The burning as a means of disposal of any type of structure, marine and aircraft, vehicles and the burning of debris from any of the foregoing; The burning, as a means of disposal, of papers, rubbish, garbage and all types of combustibles; and/or Campfires, Bonfires, Fire Pits, Chimineas and Other Similar Devices, as defined by the Connecticut Department of Energy & Environmental

Protection.

PROCESSED WOOD

Processed wood is considered to be any wood that has been milled and/or planed and includes recycled wood, glued wood, treated wood, pallets, crates, and/or wood scraps from these types of materials.

§ 154-2 Restrictions on residential and commercial fires.

A. Fires shall be so managed that fires do not exceed three (3) feet above the fireplace/fire pit, and persons are able to stand within four (4) feet of the fire.

B. All fires must be kindled in an commercially or privately manufactured outdoor recreational fire appliance such as a fireplace, fire pit, and fire pit table or fire pit ring or a hand dug fire pit, which shall be at least one (1) foot below grade, no more than three (3) feet in diameter and the outside edge of which shall be ringed with brick or rock.

C. Fires are permitted between the hours of 8:00 a.m. and midnight. All fires must be completely extinguished by midnight and shall not be maintained in any way that causes a nuisance as defined herein.

D. Fires shall be attended at all times by at least one responsible person age eighteen (18) or older.

E. Kindling of a fire of any type will not be permitted on days when the wind velocity exceeds 10 miles per hour or if the forest fire danger is High, Very High or Extreme (<http://www.ct.gov/> Key Word – fire danger) or if a Smog Alert has been issued by the CT DEEP.

F. Adequate fire suppression equipment, such as shovels, fire extinguishers or a garden hose shall be accessible at all times the fire is burning.

G. Only clean dry non-processed wood may be burned (i.e... sticks, twigs and the like), the diameter of which is not greater than three (3) inches at the widest point. No leaves, grass, trash, processed or painted wood, rubber, plastic, textiles, leather or petroleum based materials and shall not contain any combustible or flammable liquids. No wood pallets, construction debris, painted wood, stained/treated wood, or garbage can be burned.

§ 154-3 Location of Device

Fires shall be no closer than twenty (20) feet from any property line, vehicle, building, structure, shed, garage, tree, shrub, bush, fence or any other combustible material.

Recreational fire appliances shall not be located on wooden decks.

(Continued on back)

§ 154-4 Penalties for offenses.
[Amended 10-10-1984]

Any person or persons, firm or firms, who violate any provision of this chapter, as enacted, or who shall fail to comply with any notice or order by the Fire Marshal of the Town of Branford Fire Department based on the provisions hereof, may be subject to arrest and prosecution by the proper authorities and may be fined not more than \$250 for each violation.

§ 154-5 Municipal liability.

The Town of Branford, the Branford Fire Department and the officers, agents and employees of each shall not be held responsible for any damage caused by or arising out of any fire as defined in this chapter.

Branford Fire Department
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ORDINANCE**
(Effective June 10, 2015)

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