PURPOSE: Regulate open fires consistent NFPA 1, Rhode Island general laws (R.I.G.L. 1956, §§ 23-23-1 et seq. and 23-23.1-1 et seq., the Rhode Island Clean Air Act, and G.L. 1956, § 2-12-1 et seq., and North Kingstown ordinances (§ 5-21.26 et seq.).

SCOPE:

- Open/Outdoor Fires (Brush/Debris Fire) *(Permit Required)*
- Recreational / Religious Fires / Cooking Fires *(No Permit Required)*
    - Contained to a burner (chimenea) with a closed or properly screened top
    - Fire pit/ring
- Large or Community Bon Fires *(Permit Required)*

Open/Outdoor Fires

Open/Outdoor fires should not be built, ignited, or maintained in or upon hazardous fire areas except by permit from the fire chief or authorized designee(s).

Open/Outdoor fires can only be built, ignited, or maintained on private property with the permission of the property owner unless otherwise designated by fire chief or authorized designee(s).

Nothing contained within this section shall infringe on the fire chief and/or authorized designee(s) ability to authorize exceptions to this guideline when deemed necessary for public welfare, convenience, safety, or any other cause.

Permitted outside fires (Open burning / Large Community Bon Fires) shall:

- Be permitted one day at a time
- Be located not less than 50 feet from any structure
- Be limited to sunrise until sunset (open burning)
- Be limited to sunrise until 2300 hours (Large Community Bon Fires & Fire Pits/Chimineas)
- Always be attended by a competent person
- Have a water supply or other means of extinguishment maintained close by the fire
- Consist of brush and tree limbs smaller than 5” in diameter
    - Examples of **acceptable** materials to be burned:
        - Brush, driftwood, forestry debris, material normally associated with the pursuit of agriculture (prunings and stalks), trees and brush resulting from agricultural land clearing
    - Examples of **unacceptable** materials to be burned:
        - Garbage, Stumps, leaves, and construction material and debris

Permits for outside fires should not be issued from March 15 to May 15; or any other time the atmospheric conditions are deemed inappropriate for burning, unless authorized by the fire chief or authorized designee(s).

COMPLAINTS

In the event the fire department receives a complaint regarding smoke, fire, or other concern following issuance of an outdoor fire permit, it shall be the policy of the North Kingstown Fire Department to investigate said complaint.

The chief or authorized designee(s) shall have the authority to order the extinguishment of any fire determined to be offensive or objectionable due to smoke conditions, atmospheric conditions, or other circumstances that make the fire a nuisance or public safety risk.

CITIZEN ACTION OTHER THAN COMPLAINT

In the event a private citizen, police officer, or member of the North Kingstown Fire Department notifies the fire department or "discovers" an "illegal" or "unauthorized" burning event, it shall be the policy of the North Kingstown Fire Department to allow the fire chief, deputy chief(s), and company officer(s) the latitude to determine if the fire must be extinguished. If in the objective opinion of the fire chief, deputy chief(s), and/or company officer(s) the fire is not a nuisance or a risk to public safety, nothing contained within this guideline requires the fire to be extinguished.

PROCEDURE FOR ISSUING BURNING PERMIT

- Visit the location of the requested burning
- Inform the permittee of the town ordinance and North Kingstown Fire Department policy on open fires
    - (Town Ordinance - attached)
- Complete the State of Rhode Island *DEM Division of Forest Environment Permit to Kindle Fire form*
    - Pink Copy to be left with applicant
    - White Copy to be maintained in permit book

Additionally, the North Kingstown Fire Department representative shall obtain:

- Name and address of homeowner
- Name of responsible party
- Telephone number

Ensure:

- The burn pile/area meets the requirements of the Town ordinance and state laws
  - Wood shall be clean and untreated
- There is an adequate water supply ready and available and/or other means to control fire as deemed adequate by the chief, deputy chief(s), and/or company officer(s)
- The area is free from any other hazards that could result in threat to public safety and property conservation

If permit ***is issued:***

- Provide the permittee a completed State of Rhode Island *DEM Division of Forest Environment Permit to Kindle Fire*
- Require permittee to sign the permit acknowledging terms contained therein
  - Pink Copy to be left with applicant
  - White Copy to be maintained in permit book
- Inform FAO via radio location of the issued permit
  - Example: "Engine 2 to fire alarm, burn permit issued 1865 Boston Neck Rd."
- Complete necessary documentation
  - NFIRS - Be sure to include
    - Name
    - Contact Information
  - Company Log Book

If permit is ***not issued:***

- Inform FAO via radio the location and denial of permit
  - Example: "Engine 2 to fire alarm, burn permit denied 1865 Boston Neck Rd."
- Complete necessary documentation
  - NFIRS - Be sure to include
    - Name
    - Reason for Denial
  - Company Log Book

PERMITS SHALL NOT BE REQUIRED FOR COOKING, RECREATIONAL, AND/OR RELIGIOUS FIRES

Campfires, recreational fires and outdoor fireplace equipment, whether for cooking food for human consumption, pleasure, religious, ceremonial, warmth, recreational, or similar purposes, do not require a permit if the following conditions are met:

- They are fueled with clean seasoned firewood, natural gas or equivalent;
- They are not used for waste disposal purposes;
- Fire is extinguished by 2300 hours;
- Have a total fuel area of 3 foot or less in diameter and 2 feet or less in height; and
- Adhere to the Town of North Kingstown Ordinance(s) regarding open burning

A person may **burn** combustible material on any private residential land if the fire is contained in a **burner** with a closed or properly screened top, including chimeneas or other movable, closed fire containers available for retail purchase.

- Such fire containers are to be located safely on private residential property no less than 15 feet from any structure and 7 feet from any property line or combustible fence.

A person may also burn combustible material on any private residential land if the fire is contained to a closed area (fire pit/ring).

- Such area shall be no less than 25 feet from any structure or combustible material
    - Recommended dimensions of Fire Pit
        1. Walls 2 ft in height
        2. Interior diameter 3ft
        3. Dig below surface to approximately 6”
        4. Construction material noncombustible (Masonry)
    - Fire Rings noncombustible material
        1. Typical campsite design (Car Tire Rim)
        2. Height 12” to 24”
        3. Interior diameter no greater than 3ft

Burning

ARTICLE II. - REGULATION OF OPEN FIRES

Sec. 5-21. - Purpose.
Sec. 5-22. - Burning.
Sec. 5-23. - Attendance at fires.
Sec. 5-24. - Exceptions.
Sec. 5-25. - Penalties for violation.
Secs. 5-26—5-45. - Reserved.

Sec. 5-21. - Purpose.

The purpose of this article is to regulate open fires consistent with but outside the control of G.L. 1956, §§ 23-23-1 et seq. and 23-23.1-1 et seq., the Rhode Island Clean Air Act, and G.L. 1956, § 2-12-1 et seq., forest fires and prevention. (Rev. Ords. 1974, § 5-1-1)

Sec. 5-22. - Burning.

(a) Public property—Permit required on public grounds. No person shall set or maintain any bonfire, rubbish or other open fire of any kind or authorize any such fire to be set or maintained on any public ground without a permit issued by the chief of the fire department or the chief's authorized representative. The permit may set such limitations or conditions as determined appropriate by the chief or the chief's authorized representative.

(b)Construction site—Permit required during construction and demolition of buildings. During construction or demolition of buildings or structures, no waste materials or rubbish shall be disposed of by **burning** on the property or in the immediate vicinity without having obtained a permit issued by the chief of the fire department or the chief's authorized representative. The permit may set such limitations or conditions as determined appropriate by the chief or the chief's authorized representative.

(c)Residential property. No person shall set or maintain a bonfire or **burn** rubbish, lumber, leaves, brush or any other combustible material or authorize any other open fire to be set or maintained on any private residential land except as follows:

(1) A person may **burn** combustible material on any private residential land if the fire is contained in a **burner** with a closed or properly screened top, approved by the fire prevention bureau, including chimeneas or other movable, closed fire containers available for retail purchase. Such fire containers are to be located safely on private residential property no less than 15 feet from any structure and seven feet from any property line or combustible fence.

(2) Residential fires are limited to the period from sunrise to 11:00 p.m. (Rev. Ords. 1974, § 5-1-4; Ord. No. 08-15, § 1, 7-7-2008)

Sec. 5-23. - Attendance at fires.

Every bonfire, rubbish or other open or closed fire shall be constantly attended by a competent person until such fire is extinguished. A garden hose connected to a water supply or other fire extinguishing equipment shall be readily available for use. (Rev. Ords. 1974, § 5-1-5; Ord. No. 08-15, § 2, 7-7-2008)

Sec. 5-24. - Exceptions.

(a) The chief of the fire department may prohibit any and all outdoor bonfires, rubbish and other open fires whenever atmospheric conditions or other local circumstances may make such fires hazardous. The chief or the chief's designee shall have the authority to order extinguished any fire determined to be a public safety risk.

(b) The chief of the fire department may authorize exceptions to this article and allow additional **burning** when the chief deems it necessary for the public convenience or welfare. (Rev. Ords. 1974, § 5-1-6; Ord. No. 08-15, § 3, 7-7-2008)

Sec. 5-25. - Penalties for violation.

Any person found guilty of violating any section of this article shall, upon conviction, be punished in accordance with Sec. 1-4