

Town of Tiverton - Town Code - Burning Ordinance

ARTICLE II. OPEN BURNING

Sec. 42-31. Penalty for violation of article.

Penalty for violation of this article will be as prescribed in section 1-7.

Sec. 42-32. Prohibited generally

No open burning shall be permitted in the town at any time except as set forth in the following sections.

Sec. 42-33. Recreational cooking fires.

Recreational fires such as, but not limited to, camp fires, charcoal grill fires, cook stoves, and open flame lanterns are allowed without a permit except from March 15 to May 15 between the hours of 10:00am and 5:00pm. During the time period outlined in this section a permit, as issued by the fire department, is required. Such fires shall be under the supervision of a responsible adult. This section shall not be construed to prohibit grills for personal use in a residential neighborhood.

Sec. 42-34. Bonfires and other ceremonial fires.

Bonfires and other ceremonial fires may be permitted at the discretion of the fire department. No holder of a bona fide permit shall ignite the fire before it has been inspected by the fire chief or his designee, and no additional materials shall be added to the fire subsequent to such inspection.

Sec. 42-35. Burning for fire department training.

Burning for training of firefighters is allowed with onsite supervision of personnel from the town fire department.

Sec. 42-36. Burning permit required.

The burning of brush, grass, leaves, etc., is allowed if there is a written permit issued by an authorized representative of the fire department. The guidelines for the permit shall be as set forth by the state department of environmental management. No more than 12 permits shall be issued to any one property in any calendar year.

Sec. 42-37. Location of Fires.

No person shall kindle or maintain any fire or authorize any such fire to be kindled or maintained on any private or public land unless the location is 50 feet from any structure and adequate provision has been made to prevent the fire and/or smoke from spreading to within 50 feet of any structure.

Sec. 42-38. Attending open fires.

Any open fires shall be constantly attended by a competent person until such fires are extinguished. This person shall have a garden hose connected to a water supply, or other approved extinguishing equipment ready and available for use.

Sec. 42-39. Conditions required the extinguishment of fires; termination of permit.

Permits shall be terminated and fires shall be extinguished at the permittee's expense within a reasonable length of time by any one of the following:

- (1) Willful or negligent violation of this article.
- (2) Request of the town or the state police.
- (3) Request of the state department of environmental management.
- (4) Signed and verified complaint of any resident downwind.
- (5) Request of the town fire department based upon atmospheric conditions, wind, etc., or local hazardous conditions

Sec. 42-40. Contained burning without a permit.

A fire may be kindled in an approved waste burner with a properly screened top, as approved by the town fire department and located safely on private property no less than 25 feet from any structure, fence or property line, unless special exception is granted by the fire chief on his designee. All such burning shall be permitted from sunrise to 10:00am, unless the chief or deputy shall prohibit such burning, as outlined in section 42-33, or between March 15 to May 15.

Sec. 42-41. Kindling of fire on land of another.

No person shall kindle a fire on the land of another without written permission of the owner or his agent.

Sec. 42-42. Liability of permittee.

Any person or organization receiving permission from the fire department to kindle and maintain any fire shall assume all responsibility for damage or injury caused as the result of such fire.

Sec. 42-43. Burning on Sunday.

From the Memorial Day weekend up to and including Labor Day weekend, no burning will be allowed on Sundays, unless special exception is granted by the fire department. This section shall not be construed to prohibit grills for personal use in a residential neighborhood.