



# Village of Mount Pleasant BURNING REGULATIONS



## Sec. 34-6. Open fires.

- (a) All open fires are prohibited in the village, except:
- (1) Outdoor fires for cooking and recreation. Recreational fires shall not consist of plastic, rubber, asphalt, oily substances or any materials, which will create dense smoke.
  - (2) Back fires to control forest fires.
  - (3) Fires set to manage wildlife habitat and forest management as prescribed by governmental agencies.
  - (4) Fires set for the practice and instruction of firefighters.
  - (5) Burning of explosives or dangerous combustible wastes for which there is no other means of disposal.
  - (6) Agricultural burning and cropland management when other alternatives are not feasible. Farmers may burn brush and weeds and have fires for cropland management as well as for insect and rodent control.
  - (7) Open fires on the property of persons owning a one-family or two-family residence on that property. The fire shall be set by the owner of the property or with his consent. The fire shall not burn wet, combustible rubbish, garbage, oily substances, asphalt, plastics, rubber products or any substances that create dense, black smoke upon combustion. The fire shall not be less than ten feet from the property line, nor be permitted to burn within 30 feet of the nearest wall of any building or wooden structure. Fires are not allowed in any street or alley.
- (b) All exceptions set forth in subsections (a)(3)--(7) of this section **shall be permitted only between the hours of 12:00 noon and 5:00 p.m., and require permission from the Fire Department.**
- (c) On days that the fire department is informed that atmospheric conditions are unacceptable for burning, permission to burn will not be granted.
- (d) Every person who kindles or starts an open fire shall supervise, or cause to have supervised, the burning of such open fire until such fire is completely extinguished.
- (e) All businesses (except farms), churches, schools, apartments and municipalities shall arrange for disposal of their solid waste by a method other than open burning.
- (f) The burning of construction debris, such as wood scraps, shingles, insulation, etc., in or adjacent to a subdivision in the village is prohibited, regardless of whether such burning is done by the property owner, contractor or other person responsible for the site.  
(Code 1993, § 5.26)

**SUPERVISE YOUR FIRES AT ALL TIMES AND BE  
CONSIDERATE OF YOUR NEIGHBORS.  
DO NOT BURN ON WINDY DAYS!**



# Village of Mount Pleasant BURNING REGULATIONS



## Sec. 34-7. Contained fires.

- (a) No person shall kindle or start a fire, or permit such fire to burn within 15 feet of the nearest wall of any building or wooden structure, or in any street or alley. Any fire kindled, started or permitted to burn within 30 feet of the nearest wall of any building or wooden structure shall be contained in a substantial burner, constructed of metal, concrete or brick, which burner shall be screened or covered to prevent the escape of burning embers. No person shall kindle or start a fire, or permit such fire to burn in any such burner, other than between the hours of 12:00 noon and 5:00 p.m. Such fires may not burn plastics, rubber, asphalt, oily substances or any materials that will create dense smoke or cause a nuisance. Where a business is operated from the home or an attached structure, no business refuse may be burned under any conditions.
- (b) No open flame candles or open flame fixtures shall be used for lighting or decorative purposes in any building or structure used for public amusement, recreation or dining purposes unless:
- (1) They are well guarded on all sides.
  - (2) The tip of the flame does not come closer than one inch from the top of the container, which may be accomplished by the use of a glass chimney or glass container partly filled with wax and a wick.
  - (3) All flammable decorative materials shall be flame proofed and renewed of flame proofing treatments as often as necessary to maintain the flameproof effect. In accordance with NFPA 701 (Decorations Flame-proofing), such re-treatment shall be at intervals of not less than six months, nor more than one year.  
(Code 1993, § 5.27)

## Sec. 34-8. Smoke.

**No person shall cause or permit the emission of smoke from burning material in a manner that will cause dense smoke or a nuisance. Smokey fires or any fire which creates a nuisance for neighbors is prohibited.**  
(Code 1993, § 5.29)

## Sec. 62-8. Grass fires; confinement.

- (a) Grass fires.  
No person shall kindle any grass fire within the village without first securing a written permit from the village fire chief, who shall issue such permit subject to any conditions for the protection of life and property imposed by the him. No permit shall be valid until the permittee has notified the Fire Department of the time and place of such burning.
- (b) Confinement.  
No person shall kindle, or cause to be kindled, any fire in or upon any street, alley, public way, park, or public or private grounds within the village within 25 feet of any building or within any fire lane unless the fire is confined within a wire refuse burner or basket, or metal enclosure with a wire cover attached to prevent the escape of sparks and burning material.  
(Code 1993, § 10.06)

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## **SOUTH SHORE FIRE DEPARTMENT**

3900 Old Green Bay Road - Mt Pleasant - WI 53403- 262-995-1200- 262-995-1208

To Whom It May Concern:

The South Shore Fire Department occasionally receives complaints and/or questions regarding the use of grills at multi-family occupancies. In this letter, the codes and fire safety standards will be quoted along with a brief explanation of the code.

### **Grills:**

**NFPA 1 Fire Code**, 2015 edition

#### **10.10.6 Cooking Equipment.**

- 10.10.6.1** For other than one and two-family dwellings, no hibachi, grill, or other similar devices used for cooking, heating, or any other purpose shall be used or kindled on any balcony, under any overhanging portion, or within 10 ft. (3 m) of any structure.
- 10.10.6.2** For other than one-and two-family dwellings, no hibachi, grill, or other similar devices used for cooking shall be stored on a balcony.
- 10.10.6.3** Listed equipment permanently installed in accordance with its listing, applicable codes, and manufacturer's instructions shall be permitted.

This is pretty clear. Any grill with an open flame has the potential to cause a structure fire even if used properly. Charcoal has a long burn time and embers can cause a fire long after the grilling is done.

### **Propane Cylinders:**

**NFPA 58 Liquefied Petroleum Gas Code**, 2014 edition

- 6.20.11.2** Cylinders having a water capacities greater than 2.7 lb. (1.2 kg) [nominal 1 lb. (0.5 kg) LP- Gas capacity] shall not be located on decks or balconies of dwelling of two or more living units above the first floor unless they are served by exterior stairways.
- 8.3.5** Storage Within Residential Buildings. Storage of cylinders within a residential building, including the basement or any storage area in a common basement of a multi-family building and attached or detached garages, shall be limited to cylinders each with a maximum water capacity of 2.7 lb. (1.2 kg) and shall not exceed 5.4 lb. (2.4 kg) aggregate water capacity per each living space unit.

Since propane is a flammable gas that is heavier than air, it will pool in a lower level rather than dissipate like natural gas. This is one of the primary reasons propane use is limited in all occupancies. The use and/or storage of the 20 lb. cylinder on most propane grills is prohibited inside any part of multi-family dwellings. The 20 lb. cylinders are allowed to be used and stored on ground floor outside patios if there is no balcony or eave above and the grill is at least 10 feet from the building.



### **Electric Grills:**

Electric grills are allowed provided that they are listed and used in accordance with the manufacturer's instructions. However, they should not obstruct the exit.

### **Other:**

**NFPA 1 Fire Code**, 2015 Edition

**10.10.3.2** Permanent barbecues, portable barbecues, outdoor fireplaces, or grills shall not be used for the disposal of rubbish, trash, or combustible waste material.

### **Balconies/ Escape Platforms:**

**NFPA 1 Fire Code**, 2015 Edition

14.4 Means of Egress Reliability.

14.4.1 General. Means of egress shall be continuously maintained free of all obstructions or impediments to full instant use in the case of fire or other emergency.

14.4.2 Furnishings and Decorations in Means of Egress.

14.4.2.1 No furnishings, decorations, or other objects shall obstruct exits or their access thereto, egress therefrom, or visibility thereof.

The balconies in question are designed and considered as a means of egress, second exit, and/or escape platform. As such, they should be clear and unobstructed at all times.

Condominium associations, apartment owners/managers, insurance companies, etc. sometimes have stricter requirements as part of their bylaws, lease agreements, and policies. This is a contractual item between the parties involved and is outside the jurisdiction of the Fire Department.

The use of any open flame appliance has, by its nature, some inherent risks involved. Proper care and attention is required during the use of any appliance that produces heat. We encourage anyone using a grill to do so in a safe manner in accordance with fire codes and the manufacturer's instructions. Failure to do so endangers not only yourself but your neighbors as well.

Hopefully this will answer the questions regarding the use of grills. Thank you for your cooperation.

Sincerely,

Robert W. Stedman  
Fire Chief

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