

**CITY OF**



**WASHINGTON**

301 C Street, P.O. Box 296, Washington, KS 66968

**ARTICLE 6. PORTABLE OUTDOOR FIREPLACES (Ord. 753/754)**

6-601. DEFINITIONS. The Governing Body adopts from the International Fire Code the following definition for use in this ordinance:

- a. Portable Outdoor Fireplace: A portable, outdoor solid fuel burning fireplace that may be constructed of steel, concrete, clay or other noncombustible material. A portable outdoor fireplace may be open in design, or may be equipped with a small hearth opening and a short chimney or chimney opening in the top.

6-602. REGULATIONS. The following regulations shall govern the use of portable, outdoor fireplaces.

- a. Portable outdoor fireplaces shall not be operated within 15 feet of a structure, property line or combustible materials.
- b. Portable outdoor fireplaces shall not be used on a combustible deck.
- c. Outdoor fireplaces, other than portable, must be constructed of noncombustible materials and shall not be constructed within 15 feet of a structure, property line, or combustible materials unless constructed under the provisions of the International Fire Code.
- d. Outdoor fires that are offensive or objectionable because of smoke emissions or when atmospheric conditions or local circumstances made such fire hazardous shall be prohibited.
- e. Combustible materials which could cause a fire to spread shall be eliminated or at least mowed short in the immediate area prior to ignition.
- f. Ashes shall be discarded in a noncombustible container and kept outside of any structure.
- g. Only charcoal or clean, dry, and seasoned firewood can be used for fuel. Firewood can be a maximum of 2 feet long.

- h. Use of flammable and combustible fluids such as gasoline, alcohol, diesel fuel, kerosene or charcoal fluid to light and relight fires is prohibited.
- i. Trash, garbage, leaves, brush, asphalt, petroleum products, paints, rubber products, plastics, paper, cardboard, treated wood, construction debris, metal or any substance that normally releases toxic emissions, dense smoke, or obnoxious odors when burned shall not be used as a fuel.
- j. While a fire is burning or smoldering, it must be attended at all times.
- k. Buckets, shovels, garden hose or a fire extinguisher with a 4A or greater rating shall be readily available for use while a fire is burning or smoldering.
- l. Burn bans by the State of Kansas, Washington County, or the City of Washington shall be strictly enforced.
- m. Burning shall be prohibited when wind speeds are in excess of 10 miles per hour.
- n. This ordinance shall be enforced by the City of Washington, the Washington County Sheriff's Department or any law enforcement agent or agency certified by the State of Kansas.
- o. Before any portable outdoor fireplace, or any outdoor fireplace other than portable, may be operated or utilized, a use permit must be obtained from the City. There shall be no fee associated with said permit, and the permit need only be obtained once. Once obtained, the use permit shall be valid and sufficient for multiple use of the same portable or other outdoor fireplace for which it was obtained. (Ord. 754)

6-603. PENALTY. Violations of this ordinance shall be a Class B nonperson misdemeanor and shall be punishable by a fine of not less than Twenty Five Dollars (\$25.00) nor more than One Hundred Dollars (\$100.00) and not more than six (6) months imprisonment plus the costs of the action.