

604. OPEN BURNING

604.010. OPEN BURNING PROHIBITED. It shall be a violation of this ordinance and a misdemeanor for any person to start or allow to burn any open fire on any property within the City of Birchwood Village without a permit, except for supervised recreational or cooking fires contained within fire rings, pits or barbecue grills.

604.020. APC RULES ADOPTED BY REFERENCE. Air Pollution Control Regulation 8, adopted by the Minnesota Pollution Control Agency and thereafter amended, is adopted by reference pursuant to Minnesota Statutes, Section 471.62. The City Clerk shall mark one copy of the regulation "Official Copy" and keep it on file in the City Office for use and examination by the public. A copy of said regulation may be obtained from the Clerk upon request at cost to the requester.

604.030. OPEN BURNING PERMITS. Upon determining that all necessary precautions have been taken to protect life and property, the Fire Chief may issue an open burning permit for any purpose for which an open burning permit is authorized by the state regulation. The permit shall be subject to the restrictions imposed by the regulation and such other restrictions as may be imposed by the Fire Chief to protect the public health, safety, and welfare in the particular case. Any permit application shall be denied in cases provided by the regulation. The permit is subject to revocation as the regulations provide. An open burning permit issued under this ordinance or APC Regulation 8 does not excuse the permittee from the consequences, damages, or injuries that may result therefrom.

604.040. OPEN BURNING NUISANCES. Except as open burning is otherwise authorized by this ordinance, open burning without a permit is hereby declared to be a public nuisance. The Fire Chief may summarily abate such nuisance without notice to any party.

604.050. PENALTY. Any person, firm, or corporation violating any provision of this ordinance is guilty of a misdemeanor.

