



ORDINANCE AMENDING SECTION 397-5 OF THE CITY CODE RELATING TO PERMIT REQUIREMENTS FOR RECREATIONAL FIRES WITHIN THE CITY OF CRYSTAL LAKE

WHEREAS, pursuant to §251-1 of the Crystal Lake City Code, the City has adopted, by reference, the 2018 International Fire Code (the “2018 Fire Code”); and

WHEREAS, prior versions of the International Fire Code which had been adopted by the City required that a permit be issued for recreational fires within the City; and

WHEREAS, §397-5 of the City Code currently establishes regulations pertaining to both bonfires and recreational fires and further requires that any person who seeks to utilize a recreational fire must first apply for and obtain an annual permit for such recreational fires; and

WHEREAS, in light of the widespread availability of portable metal fire containers the 2018 Fire Code exempted recreational fires from the permitting process; and

WHEREAS, in order to remain consistent with the 2018 Fire Code, and in light of the readily available access to the City’s regulations regarding recreational fires on the City’s website, the Mayor and City Council believe that is in the best interest of the City and its residents to eliminate the annual permitting requirement for recreational fires set forth in §397-5 of the City Code.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE THAT:

SECTION ONE. Recitals. The foregoing recitals are incorporated as though fully set forth herein.

SECTION TWO. Amendment to Section 397-5 of the City Code. Section 397-5 of the City Code is hereby amended as follows:

[Additions are denoted in **bold** and underlined and deletions are denoted by ~~strikethroughs~~]

§ 397-5 Bonfires or recreational burning.

No person shall cause, suffer, allow or permit open burning, including the burning of garbage, refuse,

rubbish in any manner, with the exception of those in conformity with the provisions of this section as defined in this section, except upon a permit duly issued by the Fire Rescue Chief of the Fire Rescue Department of the City of Crystal Lake or designated representative.

A. Burning in an open fire, provided that it is not contrary to any other federal, state, or local law, ordinance, rule or regulation, will be permitted for the following upon a permit duly issued by the Fire Rescue Chief of the Fire Rescue Department of the City of Crystal Lake or his or her designated representative and shall be solely for recreational purposes. **Recreational fires and campfires are exempt from the permit requirement:**

- (1) Bonfires. Bonfires shall be permitted only for a publicly sponsored celebration or event, or for an organization-sponsored event, or for a public or private school-sponsored event, and shall be subject to meeting all requirements of the annual ~~recreational-~~ **set fire**/bonfire permit application obtained from and filed with the Crystal Lake Fire Rescue Department.
- (2) Recreational fires or campfires. Small recreational fires, including campfires, shall be permitted, ~~but shall be subject to meeting all requirements of the annual recreational fire/bonfire permit application obtained from and filed with the /Crystal Lake Fire Rescue Department and~~ **Recreational fires or campfires** shall be contained to a device designed to hold a small fire, such as an outdoor fireplace, or commercially manufactured steel or ceramic portable fireplace, including chimineas, and portable fire pits, and used according to the manufacturer's directions. Stationary fire pits shall also be permitted and shall be built in a below-ground pit surrounded on the outside by a noncombustible material such as concrete block, metal or rocks with a minimum depth of 10 inches.
- (3) Outdoor cooking. Open burning will be permitted for outdoor cooking when the fire is limited to the minimal size necessary and contained in a device or cooking utensil commonly referred to as a "grill" or "hibachi" and designed for outdoor cooking purposes. All applicable and/or reasonable safety precautions shall be taken when using said devices or utensils.
- (4) Set fires. Fires set or approved by the Fire Rescue Department for practice of fire-fighter or rescue personnel, instructing the public, testing fire equipment, or for other Fire Rescue or law enforcement purposes shall be permitted. A permit will be required for all entities conducting open burning for the above purposes.

B. Annual ~~recreational~~ **set fire**/bonfire permit issuance. Any person, firm or corporation requesting a permit for a ~~recreational~~ **set fire**/bonfire shall submit an application, containing at a minimum the purpose of the proposed burning, nature and the quantities of material to be burned, and location of the burning site to the Crystal Lake Fire Rescue Department upon a form provided by the Crystal Lake Fire Rescue Department, which shall have the authority to approve such permits. The Crystal Lake Fire Rescue Department will use the standards as set forth in the International Fire Code at the time of application. All recreational fires, ~~bonfire permit requests~~ **set fires and bonfires** shall **further** be subject to the following conditions:

- (1) Notification.

- (a) Annual applications for bonfires shall be submitted in writing at least 10 days before the fire is set. Bonfires shall not be ignited prior to an on-site inspection of the location where the bonfire is to take place and shall be subject to any and all conditions or restrictions the Crystal Lake Fire Rescue Department may impose for the safety of life and property. After receipt of the bonfire permit, the permit holder must call the Crystal Lake Fire Rescue Department at least 10 days prior to each time that a bonfire will take place.
- (b) Annual applications for set fires ~~recreational fires and campfires~~ shall be submitted in writing at least ~~two~~ 10 days before the first fire is set.
- (2) Owner. All permits shall be requested by and issued only to the owner of land upon which the open burn is to be kindled.
- (3) Attendance. A responsible party, over the age of 17, shall constantly attend any bonfire or recreational burning until the fire is completely extinguished at the end of the permit time. Fire-extinguishing equipment shall be available for immediate use.
- (4) Location requirements. The location for stationary fire pits or commercially manufactured steel or ceramic portable fireplaces, including chimineas and portable fire pits, shall not be less than 15 feet from any structure (habitable or accessory), combustible materials (wooden fences, decks, play structures, etc.) and the permit holder's property lines.
- (5) Dimension. A bonfire shall not be more than five feet by five feet in dimension. A recreational campfire shall not be more than three feet in diameter and two feet in height of pile size.
- (6) Duration. Any bonfire or recreational burning shall not burn longer than three hours and shall be extinguished no later than 12:00 midnight.
- (7) The Crystal Lake Fire Rescue Department or its designated enforcement representative shall prohibit recreational burning which will be offensive, objectionable, or create a nuisance due to smoke or odor emissions when atmospheric conditions or local circumstances make such fires hazardous to life or property. The Crystal Lake Fire Rescue Department may order the extinguishment, by the permit holder/property owner or the Fire Rescue Department, of any recreational burning that creates or adds to a hazardous or objectionable situation.
- (8) Permit duration. Each ~~recreational~~ set fire/bonfire permit shall be issued for the appropriate calendar year and must be renewed on an annual basis.
- (9) Fuel for the recreational fire, campfire or bonfire will consist of only seasoned, dry firewood and be ignited with a small quantity of paper.
- C. Control of fires within the City. If, in the opinion of the Fire Rescue Chief, or his/her designated representative, weather conditions are such that the starting or the continuation of *burning is a risk* to life, health or property within the City, he/she shall have the right to declare that any and all burning shall cease immediately until further notice.

- D. **Enforcement.** The Fire Rescue Chief and such personnel as he or she shall designate are hereby vested with authority to enforce the provisions of this section. The Fire Rescue Department is hereby authorized to extinguish any set fire, bonfire or recreational burning fire being conducted in violation of any of the provisions of this section.
- E. **Penalties for offenses.** The Fire Rescue Chief or his/her designated representative shall investigate all violations of the annual ~~recreational~~ set fire/bonfire request and shall have the authority, upon completion of such investigation, to revoke the permit for the permit site for the duration of the permit. A violation of the provisions of this section shall be grounds for the denial for future annual ~~recreational~~ set fire/bonfire permits. Additionally, any person violating any provision of this section, including recreational fire conditions, shall be, upon conviction, fined pursuant to the provisions of Chapter 1, Article II, General Penalty, for each offense; and every day's failure to comply with any such provision may constitute a separate violation.

SECTION THREE. Effective Date. This Ordinance shall be in full force and effect after its passage, approval, and publication in pamphlet form in the manner provided by law.

DATED this 19th day of April, 2022

APPROVED:


Haig Haleblian, MAYOR

ATTEST:


Nick Kachiroubas, CITY CLERK

PASSED: April, 19, 2022
APPROVED: April 19, 2022

Published in pamphlet form by the authority of the Mayor and City Council of the City of Crystal Lake.