

ARTICLE III. OPEN BURNING

Sec. 20-41. Defined.

As used in this article, the term "open burning" means burning done under such conditions that the products of combustion are emitted directly into the ambient air space. The term "open burning" shall include burning done in simple outdoor structures, receptacles or other devices which are designed principally to contain the materials being burned or to minimize the risk of fire and which do not provide effective control of the air pollutants generated.

(Ord. No. 33, § I)

Sec. 20-42. Permit required; applicability; issuance; revocation.

No person shall initiate open burning in any public or private area outside any building without first acquiring a permit from the Fire Marshal. A permit shall be applicable only for the occasion or circumstances, as the case may be, for which the application is approved; a new permit shall be required for all contemplated open burning not sanctioned by an existing permit. Permits can be issued no earlier than 24 hours prior to the effective permit hours. Permits may be revoked by the Fire Marshal or the State Forest Fire Warden, because of the following:

- (1) High air pollution potential, as noted in Section 20-43;
- (2) The creation of a nuisance or hazard by the open burning in question;
- (3) A high extreme forest fire danger.

Open burning initiated in violation of this article shall be promptly extinguished by the individual or individuals responsible for the same, upon notice from the Fire Marshal.

(Ord. No. 33, § II)

Sec. 20-43. Permit issuance criteria.

Open burning permits shall not be issued if the Fire Marshal determines that:

- (1) A practical alternative method is available for the disposal of the material to be burned;
- (2) A hazardous health condition might be created by such burning;
- (3) A salvage operation by open burning would be conducted;
- (4) The purpose of the burning would be to dispose of automobiles and accessories, scrap and waste materials derived from automobile salvage;
- (5) Garbage, paper, grass, metals, plastics, leaves, rubber, painted materials or demolition materials are to be burned;
- (6) An advisory of an air pollution emergency episode is in effect pursuant to Section 22a-174-6 of the Regulations of State Agencies;
- (7) Such open burning would interfere with or prevent the attainment or maintenance of a relevant air quality standard;
- (8) The forest fire danger, as determined by the State Forest Fire Warden, is high or extreme and the area of the proposed burning is within 100 feet of a woodland or grassland;
- (9) Burning is being conducted within a Town right-of-way.

(Ord. No. 33, § III)

Sec. 20-44. Specific circumstances not requiring a permit.

Open burning may be conducted under the following circumstances without first acquiring a permit as required by this article, except as noted:

- (1) To abate an immediate fire hazard provided that the abatement fire is supervised by a responsible fire official;
- (2) The cooking of food, providing no smoke violation or other nuisance is created;
- (3) Construction purposes, such as open burning in salamanders or other devices used by the workers for heating purposes and small fires kindled by contractors essential to street installation or paving activities, the repairing of utilities, or other similar work, providing no smoke violation or other nuisance is created;
- (4) Campfires.

(Ord. No. 33, § IV)

Sec. 20-45. Permit fee.

The fee for any open burning permit is as established by regulation or Town Council policy. No permit shall be issued until the permit fee has been paid to the Town.

(Ord. No. 33, § VII)