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May 27, 2020

Commission Staff  
Fire Prevention and Building Safety Commission  
Via email to: [buildingcommission@dhs.in.gov](mailto:buildingcommission@dhs.in.gov)

Re: City of Greensburg: Proposed Ordinance 2020-04  
Ordinance Adoption Approval Request

Dear Commission:

As the City Attorney for the City of Greensburg, I have been asked to submit for review our Ordinance 2020-04 for approval pursuant to Indiana Code 22-13-2-5. This Ordinance which amends our prior Burn Ordinance has been submitted to the City Council and passed on first reading. Second reading is anticipated at the next meeting of the City Council on June 1, 2020. This ordinance is being submitted in word format to allow for any editing or redlining that you would like to perform. Please advise if you have any changes to this Ordinance and feel free to contact my office with any questions, comments or concerns.

Respectfully yours,

Christopher C. T. Stephen

CCTS/

Enclosures: 2020-04 (in Word Format)

## ORDINANCE 2020-4

### **AN ORDINANCE AMENDING 1976-3, AN ORDINANCE CHANGING SOME SECTIONS IN THE BURN ORDINANCE.**

**BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF GREENSBURG, INDIANA.**

#### **Section I. Definitions.**

- A. Bonfire: A large fire that is made outside to burn unwanted things, or for pleasure.
- B. Fire Pits: Any metal, stone or landscape rock designed to contain a small domestic fire for personal enjoyment.

#### **Section II. Permits**

A permit to burn may be issued in special instances or for special occasions by the Chief of the Greensburg Fire Department. This permit may be obtained at the Greensburg Fire Station at no cost.

#### **Section III. Discontinuance**

The Fire Chief is authorized to suspend individuals or City wide burning at any time.

#### **Section IV: Burning Provisions**

- A. General. A person shall not kindle or maintain or authorize to be kindled or maintained any burning unless conducted and approved in accordance with Section IV(A-I).
- B. Discontinuance. The Fire Chief is authorized to require burning be immediately discontinued if such burning constitutes a hazardous condition.
- C. Exceptions or special use (i.e. fires used for celebrating school pep rallies and fires used for celebrating scouting activities) which may be approved at the discretion of the Fire Chief.
- D. Material Restrictions. It shall be unlawful for any person, firm or corporation to build a bonfire or to burn any rags, leaves, large volumes of yard waste, paper, boxes, boards, trash, rubber, garbage, motor vehicles, buildings, rubbish, or refuse of any kind within the City limits without a permit.
- E. Extinguishment authority. Authorized fire officials may immediately order the extinguishment of the fire if:
  - 1. Odor, smoke, emissions, or burning creates or adds to a hazardous situation, or
  - 2. A required permit for burning has not been obtained
- F. Wood Fire Pits.
  - 1. Fire in approved Fire Pits must be at least 15 feet from a structure.
  - 2. Fire Pits shall not exceed 3 feet in diameter.
  - 3. Fires in a Fire Pit shall not exceed 2 feet in height.
  - 4. Firewood, small sticks, charcoal, or starter packs are all that is permitted to be burnt in Fire Pits.

G. Portable outdoor fireplaces.

1. Portable outdoor fireplaces shall be used in accordance with the manufacturer's instructions and shall not be operated within 15 feet of a structure or combustible material.
2. Firewood, small sticks, charcoal, or starter packs are all that is permitted to be burnt in outdoor fireplaces.

H. Natural/propane gas fire pits shall be used in accordance with the manufacturer's instructions and shall be operated at a safe distance of surrounding structures.

I. Attendance. Burning material shall be constantly attended by a person knowledgeable in the use of fire extinguishing equipment and familiar with any limitations which restrict burning. A knowledgeable person shall supervise the burning material until the fire has been extinguished.

**Section V: Penalties**

Any person, firm or corporation who violates this Ordinance may be fined as follows:

\$100 for first offense

\$200 for second offense

\$500 for third offense or more

Fines are to be paid to the City Clerk Treasurer and deposited into a Fire Prevention Fund.

**Section VI:** Any Ordinance or any part thereof in conflict with the provisions of this Ordinance are hereby repealed.

**Section VII:** This Ordinance shall take effect and be in force from and after its passage and approval according to law.

**ADOPTED AN PASSED** by the Common Council of the City of Greensburg, Indiana this \_\_\_\_\_ day of \_\_\_\_\_, 2020

AYES

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**Council Members**

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**Council Members**

Presented by me to the Mayor of the City of Greensburg, Indiana on this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Brenda Dwenger, Clerk-Treasurer

Approved and signed by me, the Mayor of the City of Greensburg, Indiana on this \_\_\_\_ day of \_\_\_\_\_, 2020 at the hour of \_\_\_\_\_ p.m.

\_\_\_\_\_  
Joshua Marsh, Mayor