Ordinance No. 2017-12
An Ordinance amending section 910.020 of the Minnetonka City Code, relating to recreational fire permits

The City of Minnetonka Ordains:

Section 1. Section 901.020, subdivision 1 of the Minnetonka City Code is amended to read as follows:

910.020. Amendments to the Minnesota state fire code.

The state fire code is amended as follows:

1. Section 307, “Open Burning and Recreational Fires,” is amended to read as follows:

   307.1. General. A person must not kindle or maintain or authorize to be kindled or maintained a recreational fire unless conducted and approved in accordance with this section.

   307.2. Permit required. The person who will be responsible for the recreational fire must obtain an annual permit from the fire department prior to kindling a recreational fire. The permit holder is responsible for conducting, controlling and extinguishing the fire in compliance with the city fire code. A recreational fire permit does not relieve the applicant from liability due to damage resulting from fire or smoke.

   307.3. Extinguishment authority. The fire chief or designee has the authority to order extinguishment of any fire if: the fire creates or adds to a hazardous situation; the fire chief or designee determines that the smoke from the fire is unreasonably offensive or injurious to others; or, a required permit has not been obtained.

   307.4.2. Recreational fires. Recreational fires must not be conducted within 25 feet (7620 mm) of a structure or combustible material; except that the minimum distance from a structure does not apply to a nonmoveable fire pit that existed prior to June 24, 2017. Conditions which could cause a fire to spread within 25 feet (97620 mm) of a structure must be eliminated prior to ignition. Fire pits must be located a minimum of 10 feet from any property line.

The stricken language is deleted; the underlined language is inserted.
307.4.3. Portable outdoor fireplaces. Portable outdoor fireplaces must be used in accordance with the manufacturer's instructions and must not be operated within 15 feet (3048 mm) of a structure or combustible material.

307.4.4. Materials burned. Wood burned in a recreational fire or portable outdoor fireplace must be dry, aged wood and a minimum of 3-inches one inch in diameter. No trash, brush, leaves or treated lumber may be burned.

307.5. Attendance. Permitted fires must be constantly attended until the fire is extinguished. A minimum of one portable fire extinguisher complying with Section 906 of the state fire code with a minimum 4-A rating or other approved on-site fire-extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, must be available for immediate utilization.

Section 2. A violation of this ordinance is subject to the penalties and provisions of Chapter XIII of the city code.

Section 3. This ordinance is effective 30 days after publication.

Adopted by the city council of the City of Minnetonka, Minnesota, on September 11, 2017.

Terry Schneider, Mayor

Attest:

David E. Maeda, City Clerk

The stricken language is deleted; the underlined language is inserted.
Action on this Ordinance:

Date of introduction: August 28, 2017
Date of adoption: September 11, 2017
Motion for adoption: Allendorf
Seconded by: Acomb
Voted in favor of: Bergstedt-Wagner-Ellingson-Allendorf-Acomb-Wiersum-Schneider
Voted against: None
Abstained: None
Absent: None
Ordinance adopted.

Date of publication: September 21, 2017

I certify that the foregoing is a true and correct copy of an ordinance adopted by the city council of the City of Minnetonka, Minnesota, at a meeting held on September 11, 2017.

________________________________________
David E. Maeda, City Clerk

The stricken language is deleted; the underlined language is inserted.