

Sec. 9-1. - Open burning.¹

No person shall ignite, cause to be ignited, permit to be ignited or maintain any outdoor open air fires except as permitted by regulations promulgated by the Connecticut Department of Energy and Environmental Protection (DEEP) under C.G.S. § 22a-174(f) and this section.

Definitions:

Combustible material. Any substance which is readily ignitable or free burning, such as but not limited to paper, rubbish, wood, grass and leaves.

Commissioner. Commissioner of the DEEP.

Enclosed cooking fire. Shall include charcoal, gas or wood fires in containers carrying recognized testing laboratory listing, acceptable or approved and constructed for the obvious and express purpose of cooking.

Fire marshal. Shall include the fire marshal and any deputy fire marshal.

Grill/barbecue or outdoor fireplace. Any outdoor masonry, metal or similar structure (i.e.: chiminea) used for cooking outdoors or for pleasure and not used for disposal of materials specified in the definition of open air burning. Fire pits and campfires except as noted below under open cooking fire/camp fire are prohibited.

Non processed wood. Any untreated, natural wood up to and including rough cut lumber.

Processed wood. Any wood that has been milled and/or planed and includes recycled wood, and/or treated wood, pallets, crates and/or wood scraps from these types of materials.

Open air burning. Shall include fires for the control or destruction of bona fide disease and pests, clearing of vegetative debris following a natural disaster at sites approved by DEEP, fires for fire department training, fire breaks, habitat or ecological sustainability on municipal property or on privately owned property permanently dedicated as open space.

Open burning official. The official appointed by the mayor to administer this section and open burning regulations of the Department of Environmental Protection.

Open cooking fire/camp fire. Shall include all types of cooking fires and recreational camp fires kindled outside at one- and two-family residential properties and at other approved locations at public and private outdoor recreation sites (i.e.: Ansonia Nature Center, Warsaw Park).

Allowable exceptions:

- (a) Open cooking fires/camp fires as defined above set for the purpose of cooking food for human consumption or for pleasure in areas noted above providing the fire is kindled with seasoned, dry wood, charcoal, etc., providing the fire is kept under control, the fire is provided with a grate and is supervised by person or persons at least eighteen years of age and does not create a fire hazard or a nuisance condition (i.e.; excessive smoke). Open cooking fires/camp fires shall be limited to a maximum four foot diameter or equivalent area. Open cooking fires/camp fires shall not be kindled within twenty feet of adjacent property lines or within twenty feet of a combustible structure including but not limited to outbuildings, fencing etc. Open cooking fires/campfires may be permitted at public or private recreational facilities where approved by the facility manager and with the prior approval of the fire marshal.
- (b) Warming fires at stationary construction sites may be conducted in a barrel or similar container using only clean-untreated wood providing it does not create a fire hazard or a public nuisance (i.e.: excessive smoke) with prior approval of the fire marshal. Construction debris shall not be burned under any circumstances.
- (c) Open air burning as defined above on private properties may be allowed by permit issued by the open burning official in consultation with the fire marshal. In most cases, due to the high density of properties within the City of Ansonia, open air burning on private properties will be

prohibited. Open air burning at municipal facilities may be allowed upon permit application by the fire marshal for approval by the commissioner.

- (d) Ceremonial fires and/or bonfires providing a permit is issued by the local open burning official upon consultation with the fire marshal. The fire marshal shall make a determination at the time of permit application regarding the need of fire suppression equipment and personnel at the scene of the activity. Fees for providing such personnel and equipment shall be paid by the permittee at the time of application at the current approved fire watch rates. Personnel shall be paid a minimum of four hours with a minimum of four firefighters present during the event. Requirements for additional firefighters shall be as determined by the fire chief.
- (e) Fires set in chimineas, outdoor fireplaces or other listed and approved appliances providing the fire is kindled with seasoned, dry, clean non processed wood, the fire is kept under control and supervision by person or persons at least eighteen years of age and does not create fire hazard or a nuisance condition (i.e.: excessive smoke). Minimum clearances as noted in (a) above shall be observed.
- (f) Any situation determined by the fire marshal and/or open building official to be necessary and within the requirements of this section and regulations promulgated by DEEP.

Approved outdoor open air burning appliances shall only burn fuels that they are designed for. Garbage, paper, glass, metal, plastics, leaves, rubber, painted surfaces, demolition wastes, animal or vegetable waste, automotive parts, waste oils, processed wood including pressure treated woods are strictly prohibited. Burning of any material that emits large quantities of smoke (i.e.; green wood) is strictly prohibited. With the exception of (b) above, the use of "burn barrels" is prohibited.

The open burning official, fire marshal, law enforcement officer or fire incident commander may prohibit any and all open burning regardless of permit status when atmospheric or local circumstances make such fires hazardous.

Use of chimineas, outdoor fireplaces, other similar devices and campfires shall be prohibited when DEEP determines the fire danger to be High or Extreme, when an Unhealthy Air Alert has been issued or when a High Wind Alert is in effect.

Enforcement: The provisions of the section shall be enforced by the police department with warning, fine and/or arrest.

Penalty: Violations of any other part of this section may result in a fine of one hundred dollars per occurrence. In addition, any party conducting open air burning without approved permits or who burns materials prohibited by any provision of the Connecticut General Statutes may subject the involved party to a citation for a Class C Misdemeanor in an amount not to exceed two hundred dollars or imprisonment for not more than six months or both pursuant to C.G.S. § 23-48.

(10-14-63, § 1.; Ord. of 10-8-13, § 1, eff. 10-12-13)

Footnotes:

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3. As to licenses and permits generally, see ch. 14 of this Code.

Sec. 9-28.1. - Fire marshal fees.

When any person, firm, business or other entity requires the office of the fire marshal to perform an inspection in connection with or relating to the issuance or renewal of a state agency or health department license, the fees for said inspection shall be as follows:

Type of Occupancy	New Application	Renewal
Certification for liquor license	\$ 50.00	\$ 25.00
Certification for food service license	50.00	Renewal not required. New ownership requires new application
Day care 12 or less clients	25.00	10.00
Day care more than 12 clients	75.00	25.00
Health care facility	500.00	50.00
Large board and care	250.00	50.00
Small board and care	100.00	25.00
Theater	300.00	50.00
Tank truck inspection (Haz. Mat.)/per vehicle	10.00	10.00

Note: The above fees for new applications shall be waived when fees for fire marshal plan reviews are also required.

When any person, firm, business or other entity desires to open a business or mercantile establishment, the opening of which does not require the submittal of construction documents, or when ownership of an existing business, mercantile establishment, assembly occupancy or apartment building is transferred to another party, or when renovations not requiring construction document submissions are performed to any of the above, the office of the fire marshal shall perform an inspection of the occupancy prior to its opening for business or to the transfer of ownership. Where multiple types of occupancies occur in the same building and are under the same occupants direction, the higher fee shall prevail. Note: Where an apartment building has had an annual inspection conducted within the previous six months prior to transfer of property, the inspection requirement prior to transfer of ownership shall be waived.

The fees for said inspection shall be as follows:

Type of Occupancy	Fee
Mercantile occupancy—Class A	\$150.00

Mercantile occupancy—Class B	50.00
Mercantile occupancy—Class C	25.00
Assembly occupancy up to 4,500 sq. ft.	25.00
Assembly occupancy over 4,500 sq. ft.	75.00
Business occupancy up to 4,500 sq. ft.	25.00
Business occupancy over 4,500 sq. ft.	75.00
Apartment building up to 5 units	50.00
Apartment building 6—12 units	100.00
Apartment building over 12 units	250.00

When any person, firm, business or other entity is required by State Statute to submit construction documents for review for compliance with the Connecticut State Fire Safety Code and applicable standards, the fees for such reviews shall be as follows:

General Plan Review Fees	
Less than 2,000 sq. ft.	\$ 50.00
2,000—4,999 sq. ft.	100.00
5,000—9,999 sq. ft.	250.00
10,000—49,999 sq. ft.	500.00
50,000 sq. ft. or larger	1,000.00

<p>Fire Alarm/Detection Review Fees (not applicable when included as part of General Review submission)</p>

Less than 5,000 sq. ft.	\$ 50.00
5,000—9,999 sq. ft.	100.00
10,000—49,999 sq. ft.	200.00
50,000 sq. ft. or larger	400.00

Fire Protection Systems Plan Review Fees (not applicable when included as part of General Review submission)	
Less than 5,000 sq. ft.	\$ 50.00
5,000—9,999 sq. ft.	100.00
10,000—49,999 sq. ft.	200.00
50,000 sq. ft. or larger	400.00

Special Plan Review Fees (not applicable when included as part of General Review submission)	
NFPA 96 Hood Suppression	\$25.00
NFPA 96 Hood and Duct System	50.00

Miscellaneous Fees	
Fire investigation reports	Minimum of \$10.00 plus \$0.25 per page for reports over 40 pages

Fire scene photographs	Printing fee plus 10%
Miscellaneous copying	\$0.25/page
Special event inspection (i.e.: fairs, carnivals, etc.)	\$50.00
Pyrotechnic displays	Current hourly rate times 50% for inspections and presence on scene to meet requirements of State Statutes

(Ord. of 9-13-05)