

OUTDOOR FIREPLACE PERMIT

ELMHURST FIRE DEPARTMENT

This permit authorizes _____
Print or type name

To operate an “*Outdoor or Portable Fireplace*” per Elmhurst Codes/ Ordinances, properly supervised and used only for recreational burning or cooking. (see attached code)

Location: _____

Date Issued: _____ Phone: _____

Nothing in this permit shall be construed to allow any burning that involves Section 16.08 of the Code of the City of Elmhurst.

By: _____
Fire Chief or Deputy Fire Chief (630-530-3090)

<i>Office Use Only</i>	
Copies to:	Owner DuComm file

AN ORDINANCE REGULATING OUTDOOR FIREPLACES

NOW THEREFORE, BE IT AND IT IS HEREBY ORDAINED by the City Council of the City of Elmhurst, DuPage County, Illinois as follows:

SECTION 1. That Section 16.08 of the Elmhurst Municipal Code is amended by deleting that Section in its entirety, replacing that Section as follows:

16.08 OPEN BURNING

a) Definitions. Certain terms used in this Section shall have the following meanings unless their context or use clearly indicates otherwise:

"Open Burning" shall mean the setting, ignition or maintenance of a fire at an outdoor location whether placed or contained in an Outdoor or Portable Fireplace or otherwise.

"Outdoor Fireplace" and "Portable Fireplace" shall mean a device used primarily or exclusively for recreational burning or cooking, constructed of masonry, metal or stone.

"Approved Fuel" shall mean propane, natural gas, charcoal or seasoned logs. Charcoal or logs shall be of a size which can reasonably fit in an Outdoor or Portable Fireplace.

b) Permit Required. Open burning shall be unlawful without first obtaining a permit therefore from the Fire Chief. The Fire Chief shall issue such permit on the condition that the requirements of this Section be complied with. The Fire Chief shall revoke such permit upon a finding that the permittee has failed or refused to comply with this Section.

c) Requirements for Outdoor/Portable Fireplaces.

- i) An Outdoor or Portable Fireplace shall be used only with an approved fuel: the burning of yard waste, lumber, leaves, grass, paper, cardboard, unseasoned logs, garbage, refuse, trash or like manner of things is prohibited:
- ii) Outdoor or Portable Fireplaces shall be used and located only in an area separated from any structure by not less than fifteen (15) feet: the fire box of such fireplaces shall be located above ground: in no event shall the fire box be built into the ground or located below grade:
- iii) An Outdoor or Portable Fireplace shall be constantly tended by a person over the age of 17 years when in use until the fire is extinguished. A portable fire extinguisher having a minimum rating of 4-A or other approved extinguishing agent such as sand, dirt or water in sufficient quantity shall be available for immediate use.
- iv) No Outdoor or Portable Fireplace shall be used in such a manner as to emit offensive or objectionable smoke or odors or when atmospheric conditions or other circumstances make such fires hazardous.

d) Exemption. No provision in this Section shall prohibit or require a permit for the use of outdoor fireplaces, charcoal grill, burners or like devices when used solely for the cooking of food.

SECTION 2. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect after passage and publication according to law.

CHAPTER 16
GARBAGE AND RUBBISH

16.01 **DEFINITIONS.** Terms used in this chapter mean:

Garbage: Animal or vegetable waste such as that from food supply and offal including any such paper in which it may be wrapped.

Rubbish: Ashes, cinders, glass, bottles, cans, and other refuse.

Brush: Trimmings from trees, bushes, shrubs and lawns but excluding branches over two inches in diameter at the butt.

16.02 **CONTAINERS.** (a) every owner or his agent, or the occupant of any house, building or apartment in the city where in persons reside, board or lodge shall provide for each such house, building or apartment and at all times maintain in good order and repair, separate containers for garbage and separate containers for rubbish, in a number sufficient to store and to handle for disposal the accumulations from each such house, building or apartment, without exceeding the capacities for each individual container as herein specified.

(b) Containers for garbage shall be watertight, made of metal or other sufficiently strong water-proof material and have a close-fitting cover, and a container to be handled by the city shall have a capacity not exceeding 32 gallons each, and shall be provided with suitable handles at the sides below the top of the can. In place of rigid metal containers plastic bags or similar water-proof material sufficiently strong to prevent spillage or breakage in normal handling may be used.

(c) Containers for rubbish shall be watertight, and if to be handled by the city shall have a capacity of not more than 32 gallons each, and if metal, shall be provided with sufficient handles at the sides.

(d) It shall be unlawful for any person to deposit in any container for garbage for disposal by the city anything other than garbage, or to deposit garbage in any container or place other than the container designed for garbage.

16.07 **DUMPING GARBAGE AND RUBBISH.** No person shall dump any garbage anywhere within the city and no person shall dump anywhere within the city, except at such place as may be authorized by the city by a written permit, any rubbish, manure, or miscellaneous waste, or any substance that may contain disease germs or which may be scattered by the wind or may become decomposed, obnoxious, filthy or unhealthy.

16.0H **OPEN BURNING OF REFUSE.** The burning of leaves or other refuse in an outdoor location within the City of Elmhurst is prohibited, except fires set and supervised or authorized by the Chief of the Fire Department of the City of Elmhurst for public safety, training or recreational purposes. Notwithstanding anything herein to the contrary, this section shall not prohibit the use of outdoor fireplaces, charcoal burners and the like for cooking food.

16.09 **BURNING GARBAGE AND RUBBISH.** It shall be unlawful for any person to burn garbage or rubbish within the city in such manner as to result in the emission of fumes, odors, ash dust, soot or air-borne particles in such quantity as to endanger the health or safety of any person, or to cause or have a tendency to cause injury or damage to business or property.

It shall be unlawful for any person to install, erect, operate or maintain within the city any plant for the burning of garbage or refuse until plans and specifications have been filed with the Superintendent of Building Construction and approved by him and a permit issued. Such plans shall show dimensions of the fire box, dimensions of combustion chamber, area of grate, height of chimney and cross-section of chimney. The specification shall also state the character and weight of rubbish or garbage to be incinerated within a given time. If garbage is to be burned, provision must be made for combustible fuel firing to bring combustion chamber temperature to not less than 1500 degrees Fahrenheit before garbage is fed into furnace chamber. The design and operation of the plant must be such as to avoid objectionable emissions, such as are in this section specified as unlawful.