Chapter 26 - FIRE PREVENTION AND PROTECTION

Article/Division/Section:
26-1 Establishment of a volunteer fire department; rules and regulations; amendments.
26-2 Fire department relief association
26-3 Indoor fireworks displays or use of pyrotechnic devices
26-4 Recreational fires

Sec. 26-1 - Establishment of a volunteer fire department; rules and regulations; amendments

(a) Establishment. The Falcon Heights volunteer fire department is hereby established to provide public safety education, fire prevention and fire suppression.

(b) Rules and regulations.

(1) The members of the volunteer fire department, by a majority vote of the recorded membership, shall propose to the city administrator a written code of rules and regulations to control, manage and govern the department and to regulate its proceedings and business. Such rules and regulations shall not conflict with this section or future sections adopted by the city council.

(2) Such proposed rules and regulations, or any changes shall become effective only after approval by the council. Additional rules and regulations may be adopted by the council if required for proper operation of the department.

(c) Amendments to the volunteer fire department policies, rules and regulations. The city council may from time to time by resolution, amend any and all portions of the volunteer fire department's policies, rules and regulations. Such policies, rules and regulations shall become effective after approval of the council.

(Code 1993, § 2-3.01)

State Law reference – Firefighter training and education, Minn. Stats. ch. 299N.

Sec. 26-2 - Fire department relief association

A Falcon Heights fire department relief association is established pursuant to Minn. Stats. ch. 424A. The association must operate under by-laws approved by city council. Amendments to the by-laws may be proposed by the fire department relief association and are subject to city council approval. Amendments may, from time to time, be adopted by city council resolution.

(Code 1993, § 2-3.03)

Sec. 26-3 - Indoor fireworks displays or use of pyrotechnic devices

It is unlawful to conduct any indoor fireworks display or to use any pyrotechnic device including smoke pots, flash pots and theatrical flash powder indoors if the structure or area in
which the display or use is being conducted is not protected by an automatic fire suppression system. This section shall apply to the use of fireworks or pyrotechnic equipment and materials for ceremonial, theatrical and musical productions, but does not apply to "legal fireworks" as defined by state law.

(Code 1993, § 5-1.02(E); Ord. No. 03-03, § 1, 3-12-2003)

State Law reference – Fireworks, Minn. Stats. § 624.20 et seq.

Sec. 26-4 - Recreational fires

(a) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Combustible material means any material that is capable of being ignited, including wastepaper, wood, hay, straw, weeds, litter, plastic or combustible or flammable waste or rubbish of any type. Healthy trees are not combustible material.

Recreational fire means an outdoor fire burning materials other than rubbish, trash, debris, grass, tree trimmings, garden residue or similar materials where the fuel being burned is not contained in an incinerator, barbeque grill, or barbeque pit.

(b) Requirements. It shall be unlawful for any person to burn a recreational fire in the city unless:

(1) The fire is used for cooking, social, or recreational purposes;
(2) The fire is at least 25 feet from a structure or combustible material and ten feet from a property line;
(3) Conditions that could cause a fire to spread within 25 feet of a structure are eliminated prior to ignition;
(4) The fire is no greater than three feet in diameter and two feet in flame height and surrounded by a base or barrier of noncombustible material that is at least six inches in height;
(5) The fire burns charcoal or dry unpainted or untreated wood that is at least one inch diameter;
(6) The fire burns between:
   a. 9:00 a.m. and 10:00 p.m. Sunday through Thursday;
   b. 9:00 a.m. and 11:00 p.m. Friday, Saturday and legal holidays;
(7) A responsible adult is attending the fire and the fire is completely extinguished before leaving the scene;
(8) Fire extinguishing equipment (such as dirt, sand, buckets, shovels, garden hose, or a fire extinguisher) is readily available for use; and
(9) Wind speeds do not exceed ten mph.
(c) Recreational fires are not permitted at anytime of day when the Minnesota Pollution Control Agency has issued an air quality alert or Minnesota Department of Natural Resources has declared a burning ban.

(d) The fire chief and authorized fire department personnel, and police are authorized to require that a recreational fire be immediately extinguished if the fire creates or adds to a hazardous or objectionable condition.

(Ord. No. 08-02, § 1, 9-10-2008)