

Chapter 26 - FIRE PREVENTION AND PROTECTION

Article/Division/Section:

26-1	Fire Protection Provided
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Sec. 26-1 – Fire Protection Provided

- (a) The city council shall provide fire protection by entering into contracts with various municipal and volunteer fire departments upon such terms and conditions as the city council may deem beneficial to the citizens of Falcon Heights.
- (b) The fire chief of the fire department(s) contracting with the City of Falcon Heights shall have the powers and authorities set forth in such contract. Any references to fire chief within this code shall refer to the fire chief of the contracting fire department. In addition thereto, the Fire Chief of each contracting Fire Department shall investigate the cause, origin and circumstances of each and every fire occurring in the district for which such Chief is responsible, and shall file a report thereon with the office of the State Fire Marshal as required by MSA § 299F.04.
- (c) The fire marshal and fire chief serving the city, or their representatives, shall enforce the provisions of this chapter and any related provisions of the city code.

(Ord. No. 21-01, § 2, 01-13-2021)

Sec. 26-2 - Reserved

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)