

Local Air Quality BP 23.2

The City of Shakopee has adopted the state regulations, M.S. §§ 88.16 through 88.171, on open burning and included additional regulations.

Shakopee City Code 130.06A establishes that it is unlawful for any person to burn or permit burning of any grass, weeds, leaves, rubbish, or other substances upon premises owned or occupied by that person. The following open burning is excepted from the regulation of this section; with respect to divisions (C3-9) and an appropriate permit are first obtained.

- Open fires used solely for preparation of food;
- Fires set by the City Fire Prevention Bureau and/or City Fire Department personnel or their authorized representatives for instruction and training use of fire protection equipment;
- Fires set for the instruction and training of public and industrial fire fighting personnel;
- Fires set for the elimination of fire hazards which cannot be abated by any other practical means;
- Fires set for the clearing of and parcels greater than 20 acres in size;
- Running fires on agricultural croplands greater than 5 acres in size;
- Running fires conducted by state or federal agencies;
- Running fires to cultivate or replace native plant landscapes; given the overall parcel size is greater than 2 acres in size and the fire area is greater than 1/2 acre in size. The property owner and/or occupant shall contract with a company specializing in native plant landscape management;
- Recreational fires; provided, that all of the following criteria are met. For the purpose of this division (C)(9) the following terms shall apply:

RECREATIONAL FIRE.

Burning of materials other than rubbish for pleasure, religious, ceremonial, cooking, or similar purposes where the fuel being burned is not contained in an incinerator, outdoor fireplace, barbecue grill, or barbecue pit and where the total fuel area is 3 feet or less in diameter and 3 feet or less in height;

RECREATIONAL FIRES shall not be conducted within 25 feet of a single- or multi-family residential structure or commercial structure unless contained in an outdoor fireplace constructed of non-combustible materials containing a base supported by a minimum of 3 legs, a wire mesh screen on all sides, and a lid. Conditions which could cause a fire to spread to within 25 feet of a structure must be eliminated prior to ignition;

An outdoor fireplace as defined above shall not be used within 15 feet of a single- or multi-family structure or commercial structure;

Buckets, shovels, garden hoses, or a fire extinguisher with a minimum 4-A rating shall be readily available for use at RECREATIONAL FIRES;

RECREATIONAL FIRES shall be constantly attended by a person knowledgeable in the use of fire extinguishing equipment. An attendant shall supervise a RECREATIONAL FIRE until such fire has been extinguished;

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Any member of the City Fire Prevention Bureau, Officer of the City Fire Department, State DNR, City Police Department, or County Sheriff Department is authorized to require that RECREATIONAL FIRES be immediately discontinued if such fires are determined to constitute a hazardous or nuisance condition;

RECREATIONAL FIRES are not allowed if a total burning ban is in effect;

Maximum wind speed including gusts must not exceed 15 mph; and

The prevailing winds must be away from occupied structures.

RUBBISH. Waste material including, but not limited to, garbage, waste paper, leaves, grass, yard and garden waste, debris from construction or demolition, hazardous materials, oils, rubber, plastic, chemically treated materials, or other materials which produce excessive or noxious smoke.

Bonfires, providing that all the following criteria are met. For the purpose of this division (C)(10) the following terms shall apply:

BONFIRE. The burning of materials other than rubbish for pleasure, religious, ceremonial, cooking, or similar purposes where the fuel being burned is not contained in an incinerator, outdoor fireplace, barbecue grill, or barbecue pit and where the total fuel area is greater than 3 feet in diameter and greater than 3 feet in height.

Permits will only be issued for bonfires at community involvement functions, spiritual functions, and special event functions approved by the City Fire Prevention Bureau and the City Fire Department.

The bonfire shall not be conducted within 250 feet of a single- or multi-family residential structure or any commercial structure. Conditions which could cause a fire to spread, shall be eliminated prior to ignition.

The fuel area shall be contained to an area not to exceed 15 feet in diameter.

The City Fire Department personnel and apparatus shall be on stand-by at the bonfire site until such time that the fire is, in their judgment, contained.

Upon request of the City Fire Prevention Bureau, City Fire Department, or City Police Department, the permit holder shall provide an attendant to supervise the bonfire until such fire has been extinguished.

The bonfire shall be immediately discontinued if such fire constitutes a hazardous or nuisance condition.

Bonfires will not be allowed if a total burning ban is in effect.

RUBBISH. Waste material including, but not limited to, garbage, waste paper, leaves, grass, yard and garden waste, debris from construction or demolition, hazardous materials, oils, rubber, plastic, chemically treated materials, or other materials which produce excessive or noxious smoke.