No. 11-_____

CITY OF MENASHA
RECREATIONAL FIRE APPLICATION/PERMIT

PLEASE TYPE OR PRINT

Date of Application _____/_____/_____

Applicant _____

Street Address _____

Telephone Number _____

_____ I am the property owner

_____ I am a tenant (if tenant, must provide approval from property owner)

_____ (property owner's signature)

All of the above information is accurate and complete. I hold the City of Menasha harmless from any damages caused by my recreational fire. I have received a copy of City Code 5-2-7. I understand and I agree to comply with all provisions of the City Code section 5-2-7. In addition to any other penalties authorized by law, this permit may be revoked for noncompliance of City Code 5-2-7.

Applicant Signature _____

For City of Menasha Office Use

Annual fee of twenty dollars ($20) collected on _____/_____/_____

_____
Clerk/Deputy Clerk signature

For Recreational Fire Permit expiring on December 31, 2011.

CHAPTER 2
Fire Prevention

SEC. 5-2-7 OPEN BURNING.

(a) **OPEN BURNING PROHIBITED.** No person, firm or corporation shall build any outdoor fire within the corporate limits of the City of Menasha excepting as set forth in Subsection (b) of this Section.

(b) **EXCEPTIONS.**

(1) Outdoor cooking over a fire contained in a device or structure designed for such use.

a. Material used to make a cooking fire cannot include construction materials, trash or rubbish.

b. All cooking devices must be in good working condition to prevent the possible spread of fire;

c. For all multi-family dwellings more than one story in height, the use and/or storage of any propane or charcoal portable cooking device or any portable fireplace device is strictly prohibited above the first floor occupancy.

d. For all multi-family dwellings more than one story in height, the use of any open or closed outdoor cooking device, any portable fireplace device, or any open flame device is prohibited within ten (10) feet of the structure on the ground floor or any combustible material on the ground floor.

e. Recreational Fires.

1. It is the intent of the City of Menasha that citizens shall have the opportunity to have recreational fires at single-family and two-family dwellings provided that such fires are in strict compliance with restrictions relating to recreational fires. It is further the intent of the City of Menasha that the Police Department and the Neenah-Menasha Fire Rescue Department shall strictly enforce these restrictions so as to insure that such fires do not compromise safety. Such enforcement shall require an investigation into any complaint and an independent determination by either the Police Department or Neenah-Menasha Fire Rescue Department as to whether a particular recreational fire is in compliance with these regulations.

2. A recreational fire is a campfire for the purpose of recreation and personal enjoyment.

3. A portable fire pit is a structure or device intended to contain and control outdoor wood fires. This shall include a structure which although not portable, is designed to contain and control outdoor wood fires.

4. An in-ground fire pit is defined as a fire pit surrounded on the outside by a non-combustible material such as concrete block or rocks.

5. No recreational fire may be started or allowed to continue burning unless such recreational fire is contained in a portable fire pit or an in-ground fire pit.

6. No recreational fire, portable fire pit, or in-ground fire pit shall be closer than 10 feet from any building, structure, shed, garage, fence, or any combustible material.

7. All recreational fires shall not have a diameter larger than 30 inches nor may the fire extend more than 2 feet above the pit.

8. "Portable" fire pits, such as devices commercially designed and intended to control and contain outdoor wood fires, may be used in accordance with the manufacturer's specifications, these regulations, and must be based upon a non-combustible surface.

9. No recreational fire shall be started or allowed to continue burning when the wind direction or wind speed will cause smoke, embers, or other burning materials to be carried by the wind toward any building or other combustible materials, nor anytime when the wind speed exceeds 7mph. Smoke from any recreational fire shall not create a nuisance for neighboring property owners. The fire shall be completely extinguished based upon the findings of the required investigation conducted by either the Police Department or the Neenah-Menasha Fire Rescue Department . The Police Department and the Neenah-Menasha Fire Rescue Department shall strictly enforce this section so as to comply with the intent of Section e.1. of this ordinance.

10. Material for recreational fires or portable fire pit shall not include rubbish, garbage, recyclable items, trash or any material made of petroleum-based materials, and shall not contain any flammable or combustible liquids, except for devised which are designed to burn LP gas. LP gas devices shall only be used per the manufacturers listing instructions.
11. Adequate fire suppression equipment shall be immediately available to control or extinguish the recreational fire. Adequate fire suppression shall be a garden hose or a large bucket of water within two feet of the fire.
12. All recreational fires or portable fire pits shall be attended at all times by at least one responsible person of age 18 or older from the ignition of the fire until the fire is completely extinguished.
13. The property owner and/or person who has started any recreational fire shall hold the City harmless from any and all damages caused by a recreational fire.
14. Any party who has started or maintains a recreational fire as defined herein shall pay any and all costs incurred by the Neenah-Menasha Fire Rescue Department for any service related call as a result of a recreational fire NOT in compliance with these requirements, if deemed necessary by the Fire Chief.
15. Any person who wishes to have a recreational fire in a portable fire pit or in-ground fire pit must obtain a permit prior to such fire. The permit shall contain the name and address of the location where the portable fire pit is to be used. Such permit is not transferable to any other person nor any other location.
16. The permit specified in paragraph 15 shall require payment of an annual fee to be established by the Administration Committee upon the recommendation of the Joint Personnel and Finance Committee. A copy of Sec. 5-2-7 shall be provided along with the permit.
17. No recreational fire shall be started or allowed to continue unless the permit and the copy of the ordinance can be produced and shown to anyone who requests to see the permit.
18. No recreational fire may be started or allowed to continue between 12:00 a.m. and 4:00 p.m. Any such fire is presumed unreasonable and must be extinguished.
19. Any recreational fire, portable fire pit or in-ground fire pit not in compliance with all the terms of Sec. 5-2-7 may, in addition to any other penalties, result in the permanent revocation of the permit.
20. Permits for recreational fires shall be issued only to the property owner or to a tenant, provided that the tenant supplies the City Clerk with a letter of approval for the permit signed by the property owner.

(2) Controlled burning of grass or similar vegetation for environmental management purposes, with the prior written approval of the Fire Chief;
(3) Ceremonial campfire or bonfires, with prior written approval of the Fire Chief;
(4) Other occasions of desirable outdoor burning not specified by this Subsection, but not as an alternative to refuse removal or disposal of which other methods are available, may be granted single occasion approval as in Subsections (2) and (3) above.
(5) Whenever approval and special permit are granted by the Fire Chief under Subsection (b)(2), (3) and (4) of this Section, the permit may specify and be conditioned on observance of safety restrictions and insurance requirements set forth therein.

(c) **FIRE CHIEF MAY PROHIBIT.** The Fire Chief is permitted to prohibit any or all bonfires and outdoor rubbish fires when atmospheric conditions or local circumstances make such fires hazardous.

(d) **BURNING ON STREETS.** No materials may be burned upon any street, curb, gutter or sidewalk.

(e) **LIABILITY.** Persons utilizing and maintaining outdoor fires shall be responsible for any liability resulting from damage caused by his fire.

The intent of this brochure is to provide an overview and highlight important parts of the ordinance that have been adopted by both Cities. This is not intended to give you all of the rules and regulations that are in the actual ordinance.

When you obtain a permit you will be given a copy of the actual ordinance from the municipality that you reside in. Please make sure you review this in its entirety.

Permits can be obtained from:

The Treasurer's Office in the City of Neenah is located at 211 Walnut St. Their office can be reached at (920) 886-6100.

The City Clerk's Office in the City of Menasha is located at 140 Main St. Their office can be reached at (920) 967-5117.

If you have any questions regarding open burning, please do not hesitate to call the City Clerk's Office of the municipality that you reside in or Neenah-Menasha Fire Rescue.

As a reminder, you will need:

- A permit from the municipality that you reside in. Permits are only good for the calendar year and you must obtain a new one each year. The current cost for a permit in the City of Neenah is $15.00 and in the City of Menasha it is $20.00
- You must have your permit and copy of the ordinance available for anyone who wishes to see it.
- Adequate fire suppression equipment.

"One Department – Fully Involved"

Open Burning Guidelines

Neenah-Menasha Fire Rescue

125 E. Columbian Ave.

Neenah, WI 54956

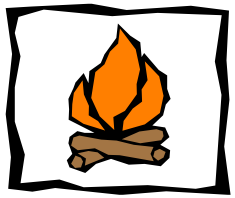
(920) 886-6200

Outdoor fires are prohibited in the Cities of Neenah and Menasha unless you have a recreational fire permit. You must obtain a permit ***before*** any burning occurs.

The intent of both Cities is to give citizens the opportunity to have recreational fires at single-family and two-family dwellings, provided that such fires are in strict compliance with restrictions relating to recreational fires. The City of Neenah Police Department, The City of Menasha Police Department and Neenah-Menasha Fire Rescue will enforce these restrictions to ensure that fires do not compromise safety or cause neighborhood concerns.

Enforcement will require an investigation into **all** complaints and an independent determination by either Police Departments or Neenah-Menasha Fire Rescue as to whether a particular recreational fire is in compliance with the regulations.

Recreational fires are only allowed from 4:00 p.m. to Midnight.

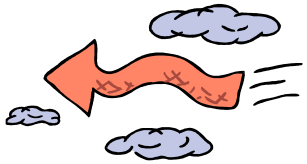


A recreational fire is defined as a campfire for the purpose of recreation and personal enjoyment. **Bonfires are strictly prohibited in both municipalities.**

- Recreational fires shall be a minimum of 10ft. from any building, structure, shed, garage, fence or any combustible material.
- Fires shall be burned in a portable fire pit, which is defined as a structure or device intended to contain and control outdoor wood fires. This includes a structure, which although not portable, is designed to contain or control outdoor wood fires. Fires may be burned in a fire pit and shall be surrounded on the outside by a non-combustible surface.
- All recreational fires shall not have a diameter larger than 30 inches and may not extend more than 2 ft above the pit.
- You are not allowed to burn garbage, recyclable items, trash or any material made of petroleum-based materials and shall not contain any flammable or combustible liquids.

Outdoor cooking is allowed without a permit. However, this must be in a device or structure for such use, like a grill.

If you are planning an outdoor fire, wind speed is an important thing to take note of. You may not burn at anytime when wind speeds are more than 7 mph.



Recreational fires must be attended to at all times by at least one responsible person of age 18 years or older until the fire is completely extinguished.

Adequate fire suppression equipment must be immediately available to control or extinguish the recreational fire. This includes a fire extinguisher or garden hose. If the fire seems to be getting out of control, ***please call 911 immediately!***

Updated October 2010