

Section 910 – Open Burning Prohibited

Section 910:00. Definitions.

Subd. 1. “Person” means any human being, any municipality or other governmental or political subdivision or other public agency, any public or private corporation, any partnership, firm, or association, or other organization, any receiver, trustee, assignee, agent or other legal representative of the foregoing, or any other legal entity.

Subd. 2. “Open Burning” means burning any matter whereby the resultant combustion products are emitted directly in the open atmosphere without passing through any adequate control equipment.

Subd. 3. “Control Equipment” shall mean any device approved by the Minnesota Pollution Control Agency, which has the function of controlling or abating the emission of air contaminants to the atmosphere.

Subd. 4. “Recreational Fires” shall mean wood burning fireplaces and open fires used solely for outdoor food preparation.

Subd. 5. “Burning Permit” shall mean a written permit issued by the director of the Minnesota Pollution Control Agency upon recommendation of the City Fire Chief authorizing fires excepted from the general provisions hereof, and setting conditions therefore.

Section 910:02. Open Burning Prohibited. From and after July 7, 1972, except as herein otherwise provided, open burning shall be prohibited within this municipality.

Section 910:04. Exemption. This section shall not apply to recreational fires.

Section 910:06. Exceptions. Open burning, including the burning of trees, brush, grass and other vegetable matter, shall be permitted only upon application, issuance and possession of a burning permit from the Department of Natural Resources and co-signed by the Foley Fire Chief or Assistant Foley Fire Chief, under the regulations pertaining thereto.

Exception to conduct fires under this section does not excuse a person from the consequences, damages or injuries which may result there from, nor does it exempt any person from regulations promulgated by the Department of Natural Resources or any other governmental unit exercising jurisdiction in matters of fire hazard regulation.

Section 910:00 of the 1974 Code of Ordinances was amended by Ordinance Number 296, passed and adopted April 4, 2000.