



# Policy Statement

## Hopkins Fire Prevention Bureau

Date: July 14 2020

Subject: Open Burning

The City of Hopkins uses the State of Minnesota rules regarding open burning and permits for open burning. Combination City of Hopkins and Department of Natural Resources (DNR) permits are issued by the Hopkins Fire Marshal. In accordance with the DNR rules, permits are not required for recreational fires. MN Statutes 2014, Chapter 88 (88.17(DNR)).

### Section 1 —Definitions

#### RECREATIONAL FIRE

An outdoor fire burning materials other than rubbish where the fuel being burned is not contained in an incinerator, outdoor fireplace, portable outdoor fireplace, barbeque grill or barbeque pit and has a total fuel area of 3 feet or less in diameter and 2 feet or less in height for pleasure, religious, ceremonial, cooking, warmth or similar purposes.

#### PORTABLE OUTDOOR FIREPLACE

A portable, outdoor, solid-fuel-burning fireplace that may be constructed of steel, concrete, clay or other noncombustible material. A portable outdoor fireplace may be open in design, or may be equipped with a small hearth opening and a short chimney or chimney opening in the top.

### Section 2 —Recreational Fires

The Minnesota State Fire Coded (MSFC) establishes the minimum requirements for recreational fires that are applicable throughout the state of Minnesota. The following information is applicable even if a local jurisdiction does not have an ordinance regulating recreational fires.

1) Recreational fires must be at least 25 feet from all buildings or combustible materials.

Combustible materials are things such as wood, cardboard and paper [Minnesota State Fire Code (MSFC) Section 307.4.2].

(2) Conditions which could cause a fire to spread within 25 feet of a structure shall be eliminated prior to ignition [MSFC Section 307.4.2].

3) Recreational fires shall be located 10 feet from LP-Gas containers that are filled on site by the LP-Gas company [NFPA 58 Section 6.3.9].

(4) Recreational fires must be constantly attended until the fire is extinguished [MSFC Section 307.5].

(5) A minimum of one portable fire extinguisher complying with MSFC Section 906 with a minimum 4-A rating or other approved on-site fire extinguishing equipment shall be readily available at all times until the fire is extinguished. Examples of other approved fire extinguishing equipment would be a charged garden hose, dirt, or sand (and a means of applying it) [MSFC Section 307.5]. (6)

The only materials permitted in a recreational fire are wood from trees, small branches, brush, or charcoal. Treated lumber materials, construction debris, garbage, plastic materials, or waste materials are not allowed to be burned in recreational fires [MN Statute 88.171].(7)

Recreational fires must be immediately extinguished if they pose a fire safety risk, if they are not in compliance with the above, or when directed to do so by the fire code official [MSFC Section 307.3].

### Section 3 —Portable Outdoor Fireplaces

Portable outdoor fireplaces shall be used in accordance with the manufacturer's instructions and shall not be operated within 15 feet of a structure or combustible material. They shall also comply with items 3 through 7 for recreational fires above.

#### ATTENDANCE

Recreational fires shall be constantly attended by a person knowledgeable in the use of the fire-extinguishing equipment. An attendant shall supervise a recreational fire until such fire has been extinguished.

#### DISCONTINUANCE

The Chief or the Chiefs designee is authorized to require immediate discontinuance if such fires are determined by the chief to constitute a hazardous condition.

Please be considerate of neighbors when conducting a recreational fire. Be aware of the smoke traveling onto adjoining properties where people may have breathing problems such as asthma or emphysema. If a neighbor complains because of smoke or fear of the fire spreading it will be considered a public nuisance and the fire required to be extinguished.

Be a good neighbor. Keep your fire well away from the property line. Use only clean dry wood. Don't allow the fire to smolder. Keep it burning good and hot to minimize smoke.

The following are not requirements, but should be considered when conducting a recreational fire:

- Wind speeds should be at or below 10 miles per hour.
- The air quality index should be at or below 100 according to the [Minnesota Pollution Control Agency](#).
- The DNR fire danger rating should be low or moderate according to the [Department of Natural Resources](#).