

ORDINANCE 1466

AN ORDINANCE AMENDING CITY OF VERMILLION CODE OF ORDINANCES, TITLE IX, GENERAL REGULATIONS; CHAPTER 92, FIRE PREVENTION AND PROTECTION; SECTION 92.05 AMENDING (A), (B), AND (E) AND ADDING (F), (G), AND (H), AMENDING THE AUTHORITY OF THE FIRE CHIEF OR DESIGNEE IN TIMES OF DRY CONDITIONS, AND AMENDING SECTION 92.091 DEFINITIONS

BE IT ORDAINED, by the Governing Body of the City of Vermillion, South Dakota that the Code of Ordinances, Section 92.05 Open Fire Regulations, be amended as follows:

(A) It shall be unlawful to burn in any open or exterior space any garbage, refuse, leaves, processed wood or other material within the city.

(B) It shall be lawful to burn wood or other approved materials, in bonfires at pep rallies, picnics, or other public gatherings in any zone of the city, provided the school, association, or person sponsoring the rally, picnic, or event shall first secure a permit from the City Manager or Fire Chief upon written application disclosing the identity of the sponsoring school, association, or person, the time and place proposed for the fire, the number of persons likely to be in attendance and the other information as the City Manager or Fire Chief may require and further provided that no fire shall be located within 200 feet of any combustible structure or kindled at any time or in any manner which the City Manager or Fire Chief deems likely to constitute a hazard to property or the public health.

(C) Recreational outdoor fire burning materials, other than rubbish, that is enclosed and has a total fuel area of 3 feet or less in diameter and 2 feet or less in height for the purpose of pleasure, religious, cooking, warmth, or similar purpose is permitted.

(D) A recreational fire or bonfire shall be constantly attended until such fire has been extinguished. A fire extinguisher or garden hose shall be available for immediate utilization if needed.

(E) The Fire Chief or designee shall have the authority to order extinguishment of any fire because such fire becomes hazardous to property or public health.

(F) In the event the National Weather Service issues a Fire Weather Watch or Red Flag Warning, a burn ban will automatically be placed in effect for the time period the watch or warning is issued for.

(G) The Fire Chief or designee shall have the authority to order a temporary fire ban in the event of dry conditions to hold over until the following city council meeting when a resolution is considered.

(H) Fires contained within liquid-fueled, gas-fueled, or charcoal-fueled grills or stoves at private residences, and fireplaces within all buildings are excluded from (F) and (G).

BE IT ORDAINED, by the Governing Body of the City of Vermillion, South Dakota that the Code of Ordinances Section 92.091, Definitions, be amended as follows:

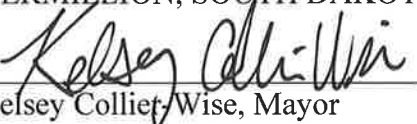
(A) § 92.091 DEFINITIONS

PROCESSED WOOD. Natural wood to which is added glue and other adhesives, paint, polyurethane, stain, varnish, or other such materials or which is treated with chemicals or other substances to change the character of the wood.

RUBBISH. Garbage, leaves, rags, rubber, glass, leather, metals, grass clippings, garden or yard waste.

WOOD. Meaning wood that has not been painted, varnished, or coated with a similar material, has not been pressure-treated with preservatives, and does not contain resins or glues as in plywood or other composite wood products. Natural wood includes tree branches and lumber. This definition shall not extend to other wood products such as sawdust, plywood, particle board and pressboard.

Dated at Vermillion, South Dakota this 5th day of July 2022.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA
BY 
Kelsey Colliet-Wise, Mayor

ATTEST:

BY 
Katie E. Redden, Finance Officer

First Reading: June 20, 2022
Second Reading: July 5, 2022
Published: July 15, 2022
Effective: August 4, 2022