

**City of Woodbury
Washington County, Minnesota**

Ordinance No. 1986

**AN ORDINANCE OF THE CITY OF WOODBURY, WASHINGTON COUNTY,
MINNESOTA,
PROVIDING THAT THE CITY CODE BE AMENDED BY
AMENDING CHAPTER 8, FIRE PREVENTION AND PROTECTION**

The City Council of the City of Woodbury, Washington County, Minnesota does ordain:

Section 1 That Chapter 8 – Fire Prevention and Protection of the City Code is hereby amended by adding language to read as follows:

Sec. 8-1. - Minnesota State Fire Code.

- (a) The 2020 Minnesota State Fire Code, as adopted by the commissioner of public safety pursuant to Minn. Stats. Ch. 299F.011 and as modified by Minnesota Rules, Chapter 7511, is hereby adopted by reference, including appendix D, and incorporated in this section as completely as if set out in full.
- (b) Wherever the word "jurisdiction" is used in the Minnesota State Fire Code, it shall be held to mean the City of Woodbury. Where the term "corporation counsel" is used in the Minnesota State Fire Code, it shall be held to mean the attorney for the city. Where the term "fire code official" is used in the Minnesota State Fire Code, it shall be held to mean the city fire marshal.
- (c) The fire marshal serving the city, or designee as authorized by the city administrator, shall enforce the provisions of this section.
- (d) A person desiring a permit as required by the Minnesota State Fire Code shall submit an application to the city fire marshal along with any fee established by council resolution from time to time.

Sec. 8-2. - Recreational Fires.

- (a) Recreational fires are allowed without a permit under the following guidelines:
 - (1) Burning will be allowed between the hours of 8:00 a.m. - midnight daily.
 - (2) Only clean, dry, natural wood can be burned. Treated or painted wood, plastic, rubber, leaves and grass are NOT allowed to be burned.
 - (3) The fire shall not exceed 3 feet in diameter with a flame height of 2 feet maximum.
 - (4) The fire shall take place on the owner's property and shall be a minimum of 5 feet from property lines.
 - (5) The fire shall not be conducted within 25 feet of a structure or combustible material.
 - (6) 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.
 - (7) The fire shall not be conducted if the wind speed exceeds 10 miles per hour.
 - (8) The use of flammable or combustible liquid accelerants is not permitted.
 - (9) The fire must be constantly attended and supervised by an adult until the fire has been completely extinguished.

- (10) A connected garden hose or other means to extinguish the fire must be readily available.
 - (11) Any person planning to have a recreational fire must be aware of local burning bans that have been issued by the Minnesota Department of Natural Resources. If a burning ban is in effect, all recreational fires are prohibited.
 - (12) The fire must be extinguished if it becomes a nuisance to others or if not under adult supervision. (City Code Section 15-1, Subd.1)
- (b) The Woodbury Public Safety Department shall be responsible for enforcing the provisions of this section.

Sec. 8-3. - Outdoor Burning.

- (a) No open burning shall be permitted other than pursuant to a written permit duly issued by the authorized agent of the commissioner of the Department of Natural Resources.
- (b) Application for a brush fire permit should be made at least 24 hours in advance of the burn.
- (c) A site inspection is required before the brush fire can take place.
- (d) The brush fire permit will be issued for up to a 3-day window and the signed copy of the approved permit must be retained by the homeowner.
- (e) All brush fires must conform to the following:
 - (1) Brush fires are limited to daylight hours only.
 - (2) Only clean, dry, natural wood can be burned. Treated or painted wood, plastic, rubber, leaves and grass are NOT allowed to be burned.
 - (3) Fires are allowed to a maximum of 6 feet in diameter.
 - (4) Pieces to be burned shall not exceed 4 inches in diameter.
 - (5) The fire shall take place on the owner's property and shall be a minimum of 5 feet from property lines.
 - (6) The fire shall not be conducted within 25 feet of a structure or combustible material.
 - (7) The fire shall not be conducted if the wind speed exceeds 10 miles per hour.
 - (8) The use of flammable or combustible liquid accelerants is not permitted.
 - (9) The fire must be constantly attended and supervised by the permit holder until the fire has been completely extinguished. The permit holder must have the permit on their person and shall produce the permit for inspection when requested to do so by a forest officer, conservation officer, or other peace officer.
 - (10) A connected garden hose or other means to extinguish the fire must be readily available.
 - (11) No burns are allowed if a burning ban has been issued by the Minnesota Department of Natural Resources.
 - (12) The fire must be extinguished if it becomes a nuisance to others or if not under adult supervision. (City Code Section 15-1, Subd.1).
- (f) The Woodbury Public Safety Department shall be responsible for enforcing the provisions of this section.

Sec. 8-4. - Barbeque Grills.

- (a) For any structure containing three or more dwelling units that have a common hallway or a shared means of egress:
- (1) No person shall kindle, maintain, or cause any fire or open flame on any balcony above ground level or on any ground floor patio within 15 feet of the structure.
 - (2) No person shall store or use any fuel, barbeque torch or other similar heating or lighting chemical or device on any balcony above ground level, or on any ground floor patio within 15 feet of the structure.
 - (3) No grills, whether electric, gas, charcoal, or open flame shall be used on any balcony above ground level or on any ground floor patio within 15 feet of the structure. *Exception: The entire building, patio or balcony is constructed of non-combustible material and protected by a sprinkler head.*
- (b) The Woodbury Public Safety Department shall be responsible for enforcing the provisions of this section.

Sec 8.5 - Fire inspections.

- (a) *Purpose.* The City of Woodbury, in order to ensure the health, safety and public welfare, shall inspect existing facilities in accordance with the established policy.
- (b) *Fire inspection fees for existing facilities.* Fire inspection fees for existing facilities shall be as established in the fee ordinance for the City of Woodbury.
- (c) *Frequency of inspections for existing facilities.* The City of Woodbury shall establish a schedule at the discretion of the community development director or designee as authorized by the community development director, by which all existing facilities are to be inspected. The schedule shall designate the frequency of inspections.
- (d) *Fire service fees.* Fire service fees for new construction, additions and alterations where a building permit is required shall be as established in the fee ordinance.

Section 2 Effective Date

This ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed and adopted by the City Council of Woodbury, Washington County, Minnesota, this 9th day of September, 2020.

Attest:

Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator

(SEAL)