

Chapter 18 - FIRES AND FIREWORKS ^[9]

⁽⁹⁾ **Editor's note**— Ord. No. 2007-2, § I, adopted June 19, 2007, changed the title of chapter 18 from "Fires" to "Fires and Fireworks."

⁽⁹⁾ **Cross reference**— Public fire protection, § 38-40 et seq. (Back)

ARTICLE I. - FIRES ^[10]

⁽¹⁰⁾ **Editor's note**— Ord. No. 2007-2, § I, adopted June 19, 2007, enacted "Article II. Consumer Fireworks"; hence, the former provisions of chapter 18 were designated as "Article I. Fires" at the discretion of the editor.

Sec. 18-1. - Fires to be contained.

(a) *Residential open burning.* No person shall conduct any residential open burning at any time in the Town.

(b) *Private residential.* Fires on private property shall only be permitted in enclosed containers (bottom and sides) such as grills, chimneys, fireplaces or permanently constructed cookout facilities that burn clean wood, charcoal, paper or clean petroleum products.

(c) *Beach fires.* Beach fires are permitted providing they are twenty-five feet from the foredune grass, ~~are in Thirty-six inch maximum diameter enclosed containers (bottom and sides)~~ and burn clean wood, charcoal, ~~or paper or clean petroleum products.~~ **No fire shall be built on the sand. Fires must be attended at all times during burning until completely extinguished.**

(d) *Complaints.* Any fire that causes complaints to the Town Fire Commissioner or the Porter Town Fire Department becomes a nuisance fire and shall be extinguished by the Porter Town Fire Department.

(e) *Town parks.* The Town Fire Commissioner shall have the authority to restrict the use of Town Park areas by the public when brush, grass and forest fire hazards exist.

(f) *Violations.* Any person violating any provision in this section shall be subject to punishment as provided in section 1-10

State law reference— Open burning prohibited in Porter County, 326 IAC 4-1-4.1(c); types of fires allowed, 326 IAC 4-1-3(c)(1)(A).

Sec. 18-2. - Prohibited prescribed or open burning.

(a) *Purpose.* This section is intended to promote the public safety, health and welfare