



OFFICE OF THE WOODBURY FIRE MARSHAL
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CODE OF ORDINANCES – TOWN OF WOODBURY

Chapter 5

FIRE PREVENTION AND PROTECTION

Sec. 5-3 Open Burning

- (a) **Purpose.** The Town of Woodbury encourages individuals to dispose of materials in the most practical and environmentally friendly manner, and in such a way that protects the health, safety and general welfare of the Town's inhabitants. This same principle applies to those items that qualify for open burning as regulated by CGS 446c.
- (b) **Definitions.** For the purpose of this section:
1. *Brush* shall mean shrubs, vegetation or prunings the diameter of which is not greater than three (3) inches in diameter at the widest point.
 2. Commissioner shall mean the Commissioner of the Connecticut Department of Environmental Protection.
 3. Open Air Burning shall mean combustion in which the products of combustion are emitted directly into the ambient air space.
 4. Open Burning Official shall mean the official or officials appointed by the Town of Woodbury's chief executive officer as defined by CGS 22a-174(f).
 5. Peace Officer shall mean a member of the Division of State Police, Local Police Officer and other law enforcement officers as defined in CGS 53a-3(9).
- (c) **Open Air Burning Permit Requirement**
1. No person shall cause or permit an open fire without obtaining an open air burning permit from the Commissioner or Open Burning Official unless exempt from the provisions of this ordinance as specified in Section (d) of this ordinance.

2. The applicant for an open air burning permit shall complete an application on form(s) provided by the Commissioner or Open Burning Official which shall include a description of the purpose of the fire, the nature and quantity of material to be burned, time and date of the fire, together with any other information required by the Commissioner or Open Burning Official.

(d) **Exemptions.** A permit as described in this ordinance shall not be required for the following fires:

1. Open air fires set for the purpose of cooking food for human consumption.
2. Fires set for the purpose of abating an immediate fire hazard, provided an Officer of the Fire Department supervises such fire.
3. Bonfires, campfires or recreational ceremonial fires as long as they follow any local ordinances pertaining to these types of fires.

(e) **Fires for which permits are required.**

1. Fires set for the purpose of burning brush on property owned by the applicant.
2. Fires set for the purpose of eradication or control of insect infestation or disease, agricultural purposes, clearing vegetative debris following a natural disaster, and vegetation management.

(f) **Fires for which permits are also required by the Commissioner.**

1. Land fill fire with permit issued to the Open Burning Official
2. All other fires.

(g) **Restrictions and prohibitions on burning**

Burning shall be prohibited when:

1. National or State ambient air quality standards may be exceeded.
2. A hazardous health condition might be created.
3. The forest fire danger in the State is determined by the State Forest Fire Warden as high, very high, or extreme and where woodland or grassland is within 100 ft of the proposed burn.
4. There is an advisory of any air pollution emergency episode.

5. The fire constitutes a salvage operation.
6. A practical and acceptable alternative method for disposal of the material to be burned exists.
7. The material to be burned consists of garbage, paper, glass, metal, plastics, leaves, rubber, painted surfaces, demolition waste, automobile scrap, pressure treated wood or other materials determined by the Open Burning Official to be prohibited.

(h) Permit regulations and standards.

1. The permit shall be valid only during the dates and times specified in the permit to burn.
2. Only those quantities and materials specified in the permit shall be burned.
3. Permits shall not be issued more than one (1) week in advance of the scheduled burn. Applications are available at the Emergency Services Building located at 25 Quassuk Road, Woodbury. Monday through Friday from 8:00 AM – 12:00 Noon.
4. The Open Burning Official or Commissioner may revoke an open air burning permit by oral or written notice to Woodbury's Fire Dispatch Center if one of the conditions specified under subsection (g) becomes an issue after such permit is issued.
5. A copy of the permit shall be kept in the possession of the applicant at the burn site during the burn.
6. Except for fire fighting exercises, burning shall be permitted on sunny or partly sunny days when wind speed is between five (5) to fifteen (15) miles per hour and only between the hours of 10:00AM and 5:00 PM.
7. Prior to burning, the applicant shall call the Open Burning Official on the day of the intended burn to ask whether the day is approved or if the permit has been revoked. The number to call will be indicated on the permit upon issuance.

- (i) **Enforcement and Penalties.** Open burning laws of the state or municipality may be enforced by any peace officer within that peace officer's jurisdiction.
1. Any person who kindles or directs another to kindle a fire in the open air as regulated herein without a permit or any person who burns materials that are prohibited from being burned by any provision of the general statutes, regulation of the state or local ordinance, shall be fined not more than two hundred dollars (\$200.00) or imprisoned for not more than six (6) months or both pursuant to CGS 23-48.
 2. The Open Burning Official or local Fire Marshal may inspect private premises and shall make all reasonable efforts to prevent and correct violations of this ordinance.
 3. The provisions of this ordinance shall be enforced by the Local Peace Office, Open Burning Official or local Fire Marshal.
 4. After a third (3rd) violation of this ordinance, the applicant shall not be issued a burning permit for a period of one (1) year from the third violation date.
- (j) **Effective Date.** This ordinance shall follow the Town Charter of Woodbury, Chapter 4, Section 402 (I) (1) (a-c).