

DIAMONDHEAD FIRE PROTECTION DISTRICT

4440 KALANI DRIVE, DIAMONDHEAD MS 39525

Open burning ordinance (Adopted at open meeting 7/28/21)

1. Definitions

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Burn barrel - means a clean metal drum used to create heat on construction sites through the burning of clean scrap wood. No treated wood, composite materials, or any other debris may be burned. The barrel must not be more than half full, must be a safe distance outside the structure being built, and must be thoroughly extinguished when the worksite is vacated.

Firepit means - a hole, indentation, or recess into the surrounding ground, not to exceed 72 inches in diameter, which uses a non-combustible material to border such hole, indentation, or recess as to prevent nearby objects from catching fire. The material being burned within the fire pit area shall not exceed 36 inches in diameter or 18 inches tall.

Outdoor fireplace - means a non-combustible container, designed for the purpose of burning wood. The material being burned within the fireplace shall not exceed 36 inches in diameter or 18 inches tall.

2. Containment

It shall be unlawful for any person to start or maintain any fire outside of one explicitly allowed by the following regulations:

- (1) All fires shall be contained in an outdoor fireplace, fire pit, or burn barrel that meets the defined specifications.
- (2) Any person who operates or maintains a fire in an approved apparatus shall have the means to extinguish the fire within 25 feet of the location of the fire. Acceptable methods of extinguishment are:
 - a. A functional U.L. approved fire extinguisher with a minimum size of 3A 40BC.
 - b. A garden hose attached to an operating spigot or other such immediate sources of water.
 - c. A cover or lid that will extinguish the fire by removing the source of air.
- (3) No outdoor fireplace, fire pit, or burn barrel shall be installed on any covered deck or balcony, or in any other combustible structure.

3. Fuel.

Only clean, dry seasoned firewood or scrap wood shall be burned. No person shall set, make, or attempt to set or make, any outdoor fire of garbage, rubbish, trash, green tree trimmings, grass, leaves, lawn refuse, petroleum products, plastics, rubber, shingles, painted or treated lumber, or any material or substance causing noxious or offensive odors, at any time of the day or night.

4. Supervision.

- (a) Persons shall not leave any burning or smoldering fire unattended.

(b) Fires will be completely extinguished when no longer supervised.

5. Exemptions.

The following are exempted from the provisions of this article:

- (1) Fires purposely set by the Diamondhead Fire Protection District or its official designee for the instruction or training of firefighting personnel.
- (2) Fires deemed necessary or allowable by the Fire Chief and City Manager for the benefit of the residents of Diamondhead.

6. Penalty.

Violation of this ordinance shall result in charges of up to the cost of extinguishment based on FEMA published labor and equipment rates, plus court costs. Written warnings may be appropriate for initial violations.