

Chapter 65

FIRES, OUTDOOR

GENERAL REFERENCES

**Fire Prevention and Building Code
administration – See Ch. 62.**

§ 65-1. Permit required; prerequisite.

- A. No person shall set, or cause to be set, any fire for the purpose of clearing land or burning logs, brush, stumps or dry grass or weeds within the limits of the Town of Potsdam and outside the corporate limits of any incorporated village situated wholly or partially within such town, whether such fires shall be set on private or public property, without having first obtained a permit to do so as herein provided.
- B. Outdoor fires, including bonfires, shall not be permitted unless legally authorized and in conformity with forest fire control regulations.

§ 65-2. Prohibited acts; construal.

- A. No person, partnership, corporation or other entity shall burn within the Town of Potsdam any garbage, rubbish, plastics, rubber products and any other materials which would create noxious, toxic smoke or fumes.
- B. All outdoor burning must be confined to an appropriate container or receptacle and must be under control at all times. All outdoor burning must be personally attended at all times and no smoldering fires or smoldering burning is permitted within the town.
- C. Nothing contained herein shall be construed to prohibit or require a permit for a barbecue fire or a fire for cooking of food, but said activities shall be confined to a fireplace or other fireproof container or fire pit and shall not locate the same near or adjacent to any flammable material or structures so as to cause a fire hazard.

§ 65-3. Issuance of permit; fee.

Permits to set fires within the limits of the Town of Potsdam shall be obtained from and issued by the Town Clerk of the Town of Potsdam on presentation by the person requesting the issuance of such permit of a written statement from the nearest Fire Warden of said town that he has examined the location where said fires are to be set and that, in his opinion, such fires as are to be set thereunder will be safe and not liable to spread or cause destruction to other property and upon the payment of a fee for the issuance of said permit of \$10.

§ 65-4. Examination of premises; compensation of Fire Wardens.

Fire Wardens shall, before issuing a statement as required in § 65-3, examine the place where the fire is to be set and the materials which are to be burned and shall determine, in their opinion, whether said circumstances are such as will not be liable to cause a spread of the fire out of control or to cause other destruction of other property than that to be burned; and they shall be entitled to compensation for such examination to be paid by the Town of Potsdam in the sum of \$1, plus mileage from the residence of the Fire Warden, going and returning, to the place where said fire is to be set at the current rate of reimbursement established and being paid by the Town Board of the Town of Potsdam and such other compensation as may be determined from time to time by the Town Board.

§ 65-5. Penalties for offenses; enforcement.

- A. Enforcement. These regulations shall be administered by the Code Enforcement Officer designated by the Town Board.
- B. Any person violating any of the provisions of this chapter shall be guilty of a violation and, upon conviction thereof, be punished by fine not to exceed \$250 for each offense or by imprisonment in the county jail for a term not to exceed 15 days for each offense, or by both such fine and imprisonment.