

8.12.080. Open Burnings Prohibited - Exceptions.

- (1) For the purpose of this chapter, the following words shall have the following meanings:
 - (a) **“Barbecue Pits”** are outdoor pits used for cooking. Barbecue pits shall be constructed of concrete or approved noncombustible materials, and shall not be located within ten (10) feet of combustible walls or roofs or other combustible material.
 - (a) **“Incinerator”** means a structure, or portion thereof, container, device or other appliance designed, used or intended to be used for the disposal of combustible rubbish by burning.
 - (b) **“Open Burning”** means the burning of a bonfire, rubbish fire or other fire in an outdoor location where fuel being burned is not contained in an incinerator, outdoor fireplace, barbecue grill or barbecue pit.
 - (c) **“Recreational Fire”** means the burning of materials other than rubbish where the fuel being burned is not contained in an incinerator, outdoor fireplace, barbecue grill or barbecue pit and with a total fuel area of three (3) feet or less in diameter and two (2) feet or less in height for pleasure, religious, ceremonial, cooking or similar purposes.
 - (d) **“Rubbish”** means waste material including, but not limited to, garbage, waste paper and debris from construction or demolition.
- (2) It shall be unlawful for any person to kindle or maintain or authorize to be kindled or maintained without a permit any open burning of any kind unless conducted and approved in accordance with this section.
- (3) Upon obtaining all necessary permits, the following burnings shall be allowed by this section, except that any allowed open burning shall not include the burning of rubbish as defined in this section, whether contained in an incinerator or not, and all fires shall be constantly attended until the fire is extinguished.
 - (a) Those burnings held on property zoned as "agriculture" as said term is defined in Chapter 5 of the Lehi City Code, as amended, and designated as agricultural on the Lehi City Zoning Map, as amended; and has a land mass of one acre or more,
 - (i) are incidental to horticultural or agricultural operations:
 - (a) pruning's from trees, bushes, and plants; or
 - (b) dead or diseased trees, bushes, and plants, including stubble;
 - (ii) controlling weed growth along irrigation ditch banks incidental to clearing these ditches for irrigation purposes; or
 - (i) heating of orchards or other crops to lessen the chances of their being frozen so long as the emissions from this heating do not violate minimum standards established by the federal "Clean Air Act" as amended and the state of Utah "Air Conservation Act" as amended.
 - (b) Recreational fires as defined in this section with the following restrictions:
 - (i) recreational fires shall not be conducted within 25 feet of a structure or other combustible material unless contained in a barbeque pit.
 - (ii) Charcoal burners, liquified-petroleum-gas burners and other open-flame cooking devices shall not be operated on combustible balconies or within ten (10) feet of combustible construction.
Exceptions: (1) One- and two-family dwellings.
(2)Where buildings and decks are protected by an automatic sprinkler system.

- (iii) buckets, shovels, garden hoses or a fire extinguisher with a minimum 4-A rating shall be readily available for extinguishment.
- (c) Barbeque pits in outdoor locations. Barbeque pits shall be constructed of concrete or approved noncombustible materials, and shall not be located within ten (10) feet of combustible walls or roofs or other combustible material.
- (d) Other outdoor cooking facilities meeting the approval of the Fire Chief.
- (e) Other open fires, fireworks, torches or open burnings specifically allowed for under another portion of the Lehi City Code after obtaining any necessary permits and/or approval of the Fire Chief.
- (f) Controlled burning of not more than two (2) structures per year under the direct control of the Lehi City Fire Department for the purpose of training fire service personnel when the United States Weather Service clearing index is above 500.
- (4) Open burning for commercial cooking operations shall be prohibited except for licensed and approved businesses.
- (5) Any open burning that will be offensive or objectionable due to smoke or odor emissions shall be prohibited.
- (6) The Fire Chief is authorized to order the immediate extinguishment of any fire or burning which creates or adds to a hazardous or objectionable situation or is otherwise in violation of this ordinance.
 - (i) The Chief of the Fire Department or their designee have the power to call in special equipment and/or services, whenever in their judgment become necessary to do so to extinguish or to confine a fire, or to clean up after a fire.
 - (ii) Whenever special equipment and/or services are used to extinguish or confine a fire, or to clean up after a fire, the owner, person, firm, organization or other entity of the premise or property where such equipment and/or services are used shall be liable to Lehi City for the recovery of reasonable costs of labor, material and equipment.
 - (iii) The purpose of the recovery of reasonable cost of labor, equipment and materials associated with the use of any services, specialized equipment and/or services from persons who have by their acts or omissions necessitated the expenditure of time, money and resources by the city's fire department.
 - (iv) The Fire Chief is authorized to adopt written rules and regulations that are consistent with the provisions of this section, including those related to billing for reasonable costs.