

File

**TOWNSHIP OF CRANFORD
CRANFORD, NEW JERSEY**

ORDINANCE NO 2009-58

**AN ORDINANCE OF THE TOWNSHIP OF CRANFORD AMENDING CHAPTER 28
ENTITLED "FIRE DEPARTMENT" OF THE REVISED ORDINANCES OF THE
TOWNSHIP OF CRANFORD AS RESPECTS RECREATIONAL FIRES**

BE IT ORDAINED, by the Township Committee of the Township of Cranford, County of Union, State of New Jersey, that Chapter 28 of the Code of the Township of Cranford be amended to add the following new section designated 28-39 entitled "Recreational Fires":

1. **§ 28-39 Recreational Fires**

A. Legislative findings; policy; applicability.

The Township Committee of the Township of Cranford finds that recreational fires and burning of combustible materials in a residential setting may pose a serious hazard to the public health, safety, general welfare and the quality of life of the residents of Township of Cranford. The public has a right to and should be ensured of an environment free from noxious fumes and the threat of fire. It is the policy of the Township of Cranford to prevent the danger of fire from open burning which is a detriment to the public health, comfort, safety, welfare and quality of life.

It is in the public interest that the provisions, prohibitions and controls hereinafter contained and enacted as a matter of legislative determination and public policy, and be adopted for the purpose of securing and promoting the public health, comfort, safety, and general welfare and quality of life of the residents of the Township of Cranford.

B. Definitions

For the purpose of this Ordinance, the following definitions shall apply:

RECREATIONAL FIRE—An outdoor fire where seasoned wood of approved dimensions is burned for entertainment.

NUISANCE—Any order, emission, or event that prevents the reasonable use and enjoyment of one's property.

UNTREATED LUMBER—Dry wood which has milled and dried but which has not been treated or combined with any petroleum product, glue, chemical, preservative, adhesive, stain, paint or other substance.

FIREWOOD—Trunks and branches of trees and bushes, but does not include leaves, needles, vines or brush smaller than 2 inches in diameter.

CHIMINEA, OUTDOOR FIREPLACE, OUTDOOR FIRE PIT—As defined by the manufacturers, approved containers for open burning.

TREATED LUMBER—Dry wood which had milled and dried and has been treated or combined with any petroleum product, glue, chemical, preservative, adhesive, stain, paint or other substance.

C. Recreational Fire Regulations.

1. Recreational fires in approved containers shall be allowed without a permit at one and two family owner occupied homes, duplexes, townhomes, subject to the regulations contained herein.
2. Fires shall be limited to a maximum 3 foot diameter and 2 foot height, and must be contained in a non-combustible chiminea, outdoor fireplace, fire pit or other method approved by the Fire Chief or his designee.

3. All openings in the container or fire pit must be covered with wire mesh or other screening materials that will prevent the passage of sparks or embers.
4. Fires must be kept in the rear yard at least 15 feet from any structure or combustible exterior wall.
5. Fires must be constantly attended until the fire is extinguished. A minimum of one portable fire extinguisher with a minimum 4-A rating or other approved on-site fire extinguishing equipment, such as dirt, sand, water barrel, or garden hose shall be available for immediate utilization.
6. No such fire or container used for open burning may be used on any porch, deck, balcony or any other portion of a building; within any room or space; under any building overhang.
7. The burning of yard waste, leaves, brush, vines, evergreen needles, branches smaller than 2 inches in diameter, treated or untreated lumber, garbage, paper products or anything other than firewood as set forth herein is prohibited, except that kindling may be used to start a fire.
8. All open fires as set forth herein shall be extinguished no later than 12:00 A.M.
9. The Fire Chief or his designee, Police Officer, or Health Officer may order any open fire, or use of a chiminea, outdoor fireplace or fire pit which creates a nuisance, to be extinguished.


D. Enforcement.

1. This Ordinance shall be administered by the Fire Department, the Police Department, and the Health Department.
 2. Any person, firm or corporation, violating any of the provisions of this ordinance shall be liable to a fine not exceeding the sum of \$1,000.00.
2. This ordinance shall take effect as provided by law.

Certification

I, Tara Rowley, Township Clerk of the Township of Cranford, County of Union, State of New Jersey do hereby certify that the above is a true and correct copy of an ordinance adopted by the Township Committee of the Township of Cranford at a meeting held December 15, 2009.

In Witness Whereof I hereunto set my hand and affix the seal of said Township of Cranford on this 16th day of December 2009.


Tara Rowley, RMC
Township Clerk