



THE CITY OF LAKE FOREST

ORDINANCE NO. 2018- 31

AN ORDINANCE AMENDENDING SECTIONS 94.15 THROUGH 94.22-"OPEN FIRES" OF THE CITY CODE

Adopted by the Mayor and City Council of  
The City of Lake Forest  
this 2nd day of July, 2018

Published in pamphlet form by direction and  
authority of the City Council of The City of Lake Forest,  
Lake County, Illinois

This 2nd day of July, 2018

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AN ORDINANCE AMENDING SECTIONS 94.15 THROUGH 94.22 - "OPEN FIRES"  
OF THE CITY CODE

**WHEREAS**, The City of Lake Forest is a home rule, special charter municipal corporation; and

**WHEREAS**, from time to time it is appropriate to review, update and modify the City Code of Lake Forest (the "**City Code**") to assure that it appropriately reflects current practices, is clear, and reasonably provides for the enjoyment of the residents; and

**WHEREAS**, the current City Code provisions prohibit open burning generally, unless a permit is obtained from the Fire Chief; and

**WHEREAS**, in response to residents' requests for some flexibility, reasonableness and clarity with respect to open fires; City staff undertook a review of the Code provisions relating to "Open Fires" in the context of current practices, relevant Code provisions in the National Fire Code, the development pattern in the community, and past experience with open fires in the community; and

**WHEREAS**, the health and life safety of the residents and visitors to the community is of utmost importance and establishing clear parameters under which limited open fires may occur is appropriate to protect the general welfare of the community; and

**WHEREAS**, the City has determined that allowing open fires under certain limited conditions is reasonable and will allow for enjoyment on residential properties, the opportunity for unique recreational and ceremonial experiences in the larger community and support proper maintenance of natural areas; and

**WHEREAS**, the Mayor and City Council, having considered the recommendation from City staff, have determined that adopting this Ordinance and amending Sections

94.15 through 94.22 relating to open fires as hereinafter set forth, will be in the best interests of the City and its residents;

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LAKE FOREST, COUNTY OF LAKE, STATE OF ILLINOIS, AS FOLLOWS:**

**SECTION ONE:**     **Recitals.** The foregoing recitals are hereby adopted by this reference as the findings of the City Council and are hereby incorporated into this Section as if fully set forth.

**SECTION TWO:**     **Amendment to Sections 94.15 through 94.22.** Sections 94.15 through 94.22, entitled "Open Fires", of the City Code are hereby amended and shall hereafter be and read as reflected in Exhibit A which is attached hereto and made a part hereof.

**SECTION THREE:**   **Effective Date.** This Ordinance shall be in full force and effect upon its passage, approval, and publication in pamphlet form in the manner provided by law.

Passed this 2<sup>nd</sup> day of July, 2018

AYES: (8) Alderman Becker Morris Newman Rummel Reissenberg Preschlack  
Moreno and Buschmann

NAYS: (0)

ABSENT: (0)

ABSTAIN: (0)

Approved this 2<sup>nd</sup> day of July 2018

*R.E. Lansing*  
Mayor

ATTEST:

*Margaret Boyer*  
City Clerk

## OPEN FIRES

### § 94.15 DEFINED.

For the purpose of this subchapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.

**OPEN FIRE.** An intentionally ignited bonfire, grass fire or other similar burning conducted by any person or persons in the open air or in an incinerator or similar device, where from the flame, smoke, burning embers or ash enter or discharge into the open air. (Prior Code, § 16-23) (Ord. 01-24, passed 7-19-2001)

### § 94.16 PROXIMITY TO BUILDINGS.

It shall be unlawful to build, ignite or maintain any open fire in such a way, or so close to any building or other structure, as to endanger such building or structure. (Prior Code, § 16-24) (Ord. 01-24, passed 7-19-2001) Penalty, see § 94.99

§ 94.17 This section reserved for future use.

### § 94.18 IN STREETS, ALLEYS, SIDEWALKS AND THE LIKE.

It shall be unlawful to build, ignite or maintain any open fire or to burn leaves, trash, rubbish or any other substances on any street or alley pavement, or on any vehicle parking area, paved area, sidewalk, curb or gutter within the city limits, except as hereinafter set forth in § 94.20.

(Prior Code, § 16-26) (Ord. 1642, passed 11-15-1986; Ord. 97-7, passed 3-20-1997; Ord. 01-24, passed 7-19-2001) Penalty, see § 94.99

### § 94.19 PROHIBITION.

It shall be unlawful to build, ignite or maintain any open fire at any place within the city except as hereinafter provided.

(Prior Code, § 16-27) (Ord. 97-7, passed 3-20-1997; Ord. 01-24, passed 7-19-2001) Penalty, see § 94.99

(A) Exception – Open Fires are permitted in accordance with all of the following standards, no permit is required.

1. On property zoned for residential use on lots of 60,000 square feet or larger; and
2. the site of the Open Fire is located at least 50 feet from all structures and no conditions exist that could cause a fire to spread to within 50 feet of a structure; and
3. the Open Fire is located outside of the applicable zoning setback; and
4. the Open Fire is constantly attended until the fire is extinguished; and

5. dry, seasoned wood is used for fuel, no burning of trash, leaves or other debris is permitted; and
  6. a minimum of one portable fire extinguisher with a minimum 4-A rating or other approved on-site fire extinguishing equipment or materials, such as sand, water barrel, garden hose or water truck, shall be available for immediate utilization.
- (B) Exception – Portable, outdoor fire places or containers are permitted in accordance with all of the following standards, no permit is required.
1. On property zoned for residential use; and
  2. the fire place or container is located at least 20 feet from all structures and property lines; and
  3. the fireplace or container is covered to contain burning embers and ash; and
  4. the fire is constantly attended until the fire is extinguished; and
  5. dry, seasoned wood is used for fuel, no burning of trash, leaves, or other debris is permitted.
- (C) Exception – Outdoor fireplaces constructed in accordance with approved plans and a permit issued by the city, no permit is required.

#### **§ 94.20 PERMIT REQUIRED.**

(A) The Fire Chief may grant a permit to build, ignite or maintain an open fire for the purpose of burning leaves or other landscape material for natural area management purposes and for recreational or ceremonial purposes.

(B) An application for such permits shall be filed with the Office of the Fire Chief on a form provided by the City.

(C) The City Manager and Fire Chief shall establish open burning standards and guidelines which impose reasonable conditions upon each permit including, but not limited to, a limitation of time, place and duration and a requirement of insurance.

(Prior Code, § 16-28) (Ord. 1462, passed 10-13-1984; Ord. 97-7, passed 3-20-1997; Ord. 01-24, passed 7-19-2001)

#### **§ 94.21 AUTHORITY TO REQUIRE EXTINGUISHMENT.**

(A) The Fire Chief, Police Chief, City Manager, or their authorized representatives shall have the authority to direct and require that any fire within the city be extinguished immediately, when, in their opinion, such open fire creates a hazard to property or persons or constitutes a violation of this subchapter.

(B) Failure to obey such an order or directive, whether delivered orally or otherwise, shall be deemed to constitute a violation of this subchapter.

(Prior Code, § 16-29) (Ord. 01-24, passed 7-19-2001) Penalty, see § 94.99

#### **§ 94.22 PARKS AND LAKEFRONT FACILITIES**

It shall be unlawful to build, ignite or maintain any open fire in City parks or Lakefront facilities except as hereinafter set forth.

- (A) Fires are permitted in masonry fireplaces in park pavilions and in permanently affixed grills, no permit is required.
- (B) Recreational or ceremonial fires in established fire rings only upon issuance of permits from the Fire Chief or the Chief's authorized representative *and* the Director of Parks, Recreation and Forestry, or the Director's authorized representative.

(Prior Code, § 16-30) (Ord. 01-24, passed 7-19-2001)