



211 Walnut Street,
P.O. Box 426, Neenah, WI 54957-0426
Phone: (920) 886-6100 Fax: (920) 886-6109

RECREATIONAL FIRE PERMIT APPLICATION

PLEASE PRINT:

Name: (First) (Middle Initial) (Last)

Street Address: City: Neenah State: WI Zip Code: 54956

Email: Phone Number: _____

Date:

Permit Fee: \$17.00 per year

Expires: December 31, 20__ __ (Permits expire December 31st of the calendar year in which they are purchased)

- This property is a (1) or (2) family residence.
- I reside at this property.
- I am 18 years of age or older
- I have reviewed a copy of the Open Burning Guidelines
- I have reviewed a copy of the City of Neenah Code of Ordinance Section No. 7-28 and agree to comply with all the provisions of that ordinance. I hold the City of Neenah harmless from any damages caused by my recreational fire. In addition to any other penalties authorized by law, this permit may be revoked for noncompliance of City of Neenah Code of Ordinance Section No. 7-28. I understand a copy of this Ordinance and the permit must be made available upon the request of the Police or Fire Department.
- I certify that all the information and answers to questions herein are complete, true and correct to the best of my knowledge. I understand that any misrepresentation, falsification, or omission of any facts in the application may render this application void and will be cause for any subsequent permit to be revoked, whenever discovered.***



Open Burning Guidelines

Neenah-Menasha
Fire Rescue

125 E. Columbian Ave.
Neenah, WI 54956
(920) 886-6200

All outdoor fires are prohibited in the Cities of Neenah and Menasha, unless you have obtained a proper permit from NMFR.

The intent of both Cities is to give citizens the opportunity to have recreational fires at single-family and two-family dwellings provided that such fires are in strict compliance with restrictions relating to recreational fires, detailed in the city municipal code. Neenah-Menasha Fire Rescue, the City of Neenah Police Department, and the City of Menasha Police Department, are responsible for enforcing ordinance language to ensure fire & life safety, as well as minimizing nuisance complaints.

Enforcement will require an investigation into **all** complaints and an independent determination by Neenah-Menasha Fire Rescue, or the appropriate Law Enforcement agency, to determine proper compliance with the municipal code.

Recreational fires are only allowed from 4:00 p.m. to Midnight.



A recreational fire is defined as a campfire for the purpose of recreation and personal enjoyment. ***Bonfires are strictly prohibited in both municipalities.***

- Recreational fires shall be a minimum of 10 ft. from any building, structure, shed, garage, fence or any other combustible material.
- Fires shall be burned in either an in-ground fire pit, or a portable fire pit. A fire pit is defined as a structure or device intended to contain and control outdoor wood fires. This includes a structure, which although not portable, is designed to contain or control outdoor wood fires. Fires may be burned in a fire pit and shall be surrounded on the outside by a non-combustible surface.
- All recreational fires shall have a diameter no greater than 30" and flames shall not extend more than 2' above the fire pit.
- You are not allowed to burn garbage, recyclable items, trash, treated or painted lumber, or any petroleum-based materials. Only clean dry firewood is allowed to be burned in fire pits.

Outdoor cooking is allowed without a permit. However, this must be in a device or structure specifically designed for cooking, eg: a grill.

If you are planning an outdoor fire, wind speed is an important thing to take note of. You may not burn when sustained wind speeds are in excess of 7 mph.



Recreational fires must be attended to at all times by at least one responsible adult, age 18 years or older, until the fire is completely extinguished.

Adequate fire suppression equipment must be immediately available to control or extinguish the recreational fire. This may include a fire extinguisher and/or garden hose. If the fire appears to be getting out of control, ***please immediately call 911.***



This brochure is to provide guidance regarding the recreational burning ordinances adopted by the City of Neenah and the City of Menasha. This brochure does not contain complete specifications regarding the specific rules and regulations detailed in the actual ordinance.

When you obtain a permit you will be provided with a copy of the ordinance from the municipality in which you reside. It is your responsibility to ensure that you review, understand, and fully comply with the recreational burning ordinance, as written, for your specific municipality.

Permits can be obtained from city hall in the city in which you reside.

Neenah City Hall
Treasurer's Office
211 Walnut St.
Neenah, WI 54956
(920)886-6144

Menasha City Hall
Treasurer's Office
100 Main St., Suite 200
Menasha, WI 54952
(920)967-3630

If you have any questions regarding open burning, please do not hesitate to call Neenah-Menasha Fire Rescue or the City Hall in your municipality.

As a reminder, you will need:

- A permit from the municipality that you reside in. Permits are only good for the calendar year and must be renewed each year. The cost for a permit set by the City of Menasha is \$20.00 and the City of Neenah is \$17.00.
- You must be in full compliance of the local recreational burning ordinance and have your permit available upon request.
- Adequate fire suppression equipment shall be immediately available at all times when burning.

Sec. 7-28.- Open burning.

(a) *Open burning prohibited.* No person, firm or corporation shall build any outdoor fire within the corporate limits of the City of Neenah except as set forth in Subsection (b) of this section.

(b) *Exceptions.*

(1) Outdoor cooking over a fire contained in a device or structure designed for such use.

- a. Material used to make a cooking fire cannot include construction materials, trash or rubbish.
- b. All cooking devices must be in good working condition to prevent the possible spread of fire.
- c. For all multifamily dwellings more than one story in height, the use and/or storage of any open or closed outdoor cooking device, any portable fireplace device, or any open flame device, is strictly prohibited above the first floor occupancy.
- d. For all multifamily dwellings more than one story in height, the use of any open or closed outdoor cooking device, any portable fireplace device, or any open flame device is prohibited within ten feet of the structure on the ground floor or any combustible material on the ground floor.

(2) *Recreational fires and permits.*

- a. Intent. It is the intent of the City that citizens shall have the opportunity to have recreational fires at single-family and two-family dwellings provided that such fires are in strict compliance with restrictions relating to recreational fires. It is further the intent of the City that the Police Department and Neenah Menasha Fire Rescue shall strictly enforce these restrictions so as to ensure that such fires do not compromise safety. Such enforcement shall require an investigation into any complaint and an independent determination by either the Police Department or the Neenah-Menasha Fire Rescue as to whether a particular recreational fire is in compliance with these regulations.
- b. Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

In-ground fire pit is defined as a fire pit surrounded on the outside by a non-combustible material such as concrete block or rocks.

Portable fire pit is a structure or device intended to contain and control outdoor wood fires. This shall include a structure which although not portable, is designed to contain and control outdoor wood fires.

Recreational fire is a campfire for the purpose of recreation and personal enjoyment.

- c. No recreational fire may be started or allowed to continue burning unless such recreational fire is contained in a portable fire pit or an in-ground fire pit.
- d. No recreational fire or portable fire pit or an in-ground fire pit shall be closer than ten feet from any building, structure, shed, garage, fence, or any combustible material.
- e. All recreational fires shall have a diameter no larger than 30 inches nor may the fire extend more than two feet above the pit.

- f. Portable fire pits, such as devices commercially designed and intended to control and contain outdoor wood fires, may be used in accordance with the manufacturer's specifications, and these regulations, and must be based upon a noncombustible surface.
 - g. No recreational fire shall be started or allowed to continue burning when the wind direction or wind speed will cause smoke, embers, or other burning materials to be carried by the wind toward any building or other combustible materials, nor any time when the wind speed exceeds seven miles per hour. Smoke from any recreational fire shall not create a nuisance for neighboring property owners. The fire shall be completely extinguished based upon the findings of the required investigation conducted by either the Police Department or Neenah Menasha Fire Rescue. The Police Department and the Fire Rescue Department shall strictly enforce this section so as to comply with the intent of Subsection (b)(2)(a).
 - h. Material for recreational fires or portable fire pit shall not include rubbish, garbage, recyclable items, trash, or any material made of petroleum-based materials, and shall not contain any flammable or combustible liquids, except for devices which are designed to burn LP gas. Such LP gas devices shall only be used per the manufacturers' listing instructions.
 - i. Adequate fire suppression equipment shall be immediately available to control or extinguish the recreational fire.
 - j. All recreational fires or portable fire pits shall be attended at all times by at least one responsible person of age 18 or older from the ignition of the fire until the fire is completely extinguished.
 - k. The property owner and/or person who has started any recreational fire shall hold the City harmless from any and all damages caused by a recreational fire.
 - l. Any party who has started or maintains a recreational fire as defined shall pay any and all costs incurred by Neenah-Menasha Fire Rescue for any service related call as a result of a recreational fire not in compliance with these requirements, if deemed necessary by the Fire Chief.
 - m. Any person who wishes to have a recreational fire in a portable fire pit or in-ground fire pit must obtain a permit from the City. The permit shall contain the name of the owner/occupant of the property and address of the location where the portable fire pit is to be used. Such permit is issued to the property and is not transferable to any other location. Such a permit shall issue upon a showing that there will be compliance with all applicable laws and ordinances.
 - n. The permit specified in Subsection (b)(2)m. of this section shall require an annual fee as established by the Common Council by resolution from time to time to be paid to and collected by the City. A copy of Section 7-28 shall be provided to the permittee along with the permit.
 - o. No recreational fire may be started or allowed to continue between 12:00 a.m. and 4:00 p.m. Any such fire is presumed unreasonable and must be extinguished upon demand.
 - p. Any recreational fire or portable fire pit or in-ground fire pit not in compliance with all the terms of this section may, in addition to any other penalties, result in the permanent revocation of the permit.
- (3) Controlled burning of grass or similar vegetation for environmental management purposes, is allowed

with the prior written approval of the Fire Chief or Fire Marshal.

- (4) Ceremonial campfire or bonfires, with prior written approval of the Fire Chief or Fire Marshal.
 - (5) Other occasions of desirable outdoor burning not specified by this subsection, but not as an alternative to refuse removal or disposal of which other methods are available, may be granted single occasion approval as in Subsections (b)(2) and (b)(3) of this section.
 - (6) Whenever approval and special permit are granted by the Fire Chief or Fire Marshal under Subsections (b)(3), (b)(4) and (b)(5) of this section, the permit may specify and be conditioned on observance of safety restrictions and insurance requirements set forth therein. Such permits shall be issued upon a showing that public safety will not be endangered and a further showing that there will be compliance with all applicable laws and ordinances.
- (c) *Chief may regulate and prohibit.* The Fire Chief or Fire Marshal is permitted to regulate and or prohibit any or all vegetation fires, recreational fires, and other permitted outdoor fires, when atmospheric conditions or local circumstances make such fires hazardous.
- (d) *Burning on streets.* No materials may be burned upon any street, curb, gutter or sidewalk.
- (e) *Liability.* Persons utilizing and maintaining outdoor fires shall be responsible for any liability resulting from damage caused by his fire.

(Ord. No. 2019-05, § 8, 8-7-2019; Ord. No. 2021-03, § 1, 3-17-2021)

Editor's note—Ord. No. 2019, adopted Aug. 7, 2019, repealed the former § 7-28, and enacted a new § 7-28 as set out herein. The former § 7-28 pertained to similar subject matter and derived from the Code 1977, § 23.10; Ord. No. 1247, adopted Feb. 4, 2004; Ord. No. 1387, §§ 1, 2, adopted May 6, 2009; and Ord. No. 1414, §§ 1, 2, adopted Sept. 1, 2010.