City Council Item

September 22, 2025

Item	Permitted Burns Ordinance Discussion	
File No.		**Item No:** A.4
Agenda Section	**5:30 P.M. - WORK SESSION**	
Prepared By	Andrew Heger, Fire Chief	
Reviewed By		

SUGGESTED ACTION

Staff would like to engage the council in discussion concerning the permitted burning process, which is currently allowed in portions of the community by ordinance. Based upon council feedback, possible ordinance changes would be brought back to a future meeting.

Motion Type	N/A
Strategic Priority	Operational Excellence

SUMMARY

BACKGROUND

The current City Code stipulates that fires exceeding the dimensions of a standard recreational fire—defined as three feet by three feet—are permitted only if a valid permit has been issued by the fire department. The code further specifies that such permits will be granted exclusively to properties located in rural areas of the city. In practice, this has generally been interpreted to include only those properties situated south of Lyman Boulevard; however, there is no official map or figure delineating the exact properties eligible for a permit.

In addition to being located on an eligible property, applicants must satisfy several additional criteria

before a permit may be issued. These requirements include the following:

- The applicant must not have violated the conditions of any previous burn permit.
- The proposed burn site must be situated on a property identified as eligible to receive a burn permit in Section 9-32.
- The proposed burn site must be at least 250 feet from any building.
- There must be no practical alternative method for disposing of the materials, such as off-site hauling, chipping, or composting.

Permit issuance has remained relatively low, with four permits granted in 2023, twenty-one in 2024, and fifteen issued year-to-date in 2025. Staff have suspended the issuance of new permits since the end of July, pending further discussion with the City Council. In addition to the permits issued, the fire department has responded to a total of nine incidents this year that were classified as illegal burns.

Several of these fires—both permitted and unpermitted—have required significant fire department resources, often due to the fire being left unattended, not fully extinguished, or becoming uncontrollable. One recent incident necessitated a staff callback to assemble the necessary resources and required approximately two hours to contain. This resulted in the city incurring additional costs for staffing needs. The location of this fire posed additional challenges, as it was difficult to access and required specialized equipment. These incidents pose an immense amount of stress on our current staffing model and can pull critical resources away from other needs within the community.

The fire department often receives community feedback, particularly regarding concerns about smoke and its impact on health and safety. Larger fires, in particular, tend to produce greater volumes of smoke compared to smaller recreational fires, which can adversely affect neighboring property owners.

DISCUSSION

BUDGET

RECOMMENDATION

Staff recommends one of the two following options, with the second option being the preference.

1. Amend City Code to specifically identify which properties are eligible for permitted burns in the community. This could be acreage-based, zoning clarification, etc.
2. Eliminate the permitted burns process, unless conducted by a Minnesota DNR approved contractor, across the entirety of the community.

Neither of these options will impact a property owner's ability to have a recreational fire on their property.

ATTACHMENTS