

Section 1. Section 109 in Chapter 198 of the Smithfield Code of Ordinances entitled "Fire Prevention" is hereby amended by adding thereto the following sections :

Chapter 198. Fire Prevention

Part 1. Standards

Article XIV. General Precautions Against Fire

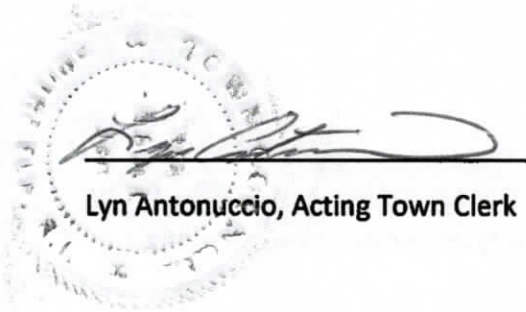
§ 198-109. Open fires.

- A. No person shall set, maintain or authorize any fire at any time in the open air in the Town, except as follows:
- (1) Cooking of food on barbecue pits, fireplaces or grills;
 - (2) Recreational fires contained in fireplace-like receptacles, clay or other suitable type chimney fireplaces, or in a fire pit or pan made for this purpose. The fire shall be conducted under safe conditions, attended by a responsible person at all times, with approved fire extinguishing equipment or a garden hose available at all times. The smoke from the fire must not be of noxious quality or amount.
 - (3) Fires authorized by the Fire Department for the purpose of training firefighters and retarding the spread of fires; or
 - (4) Fires authorized by written permission of the Chief of the Fire Department in which the fire is to be maintained, on forms prepared and under rules and regulations approved by the Fire Department, except that the Chief of the Fire Department shall not authorize any open air fires when atmospheric conditions or other local conditions make such fires hazardous to the public health or safety.
- B. "Open air fire" is defined as any fire from which the products of combustion are emitted into the open air and not directed through an inside stack or chimney.
- C. Fires authorized by written permission of the Chief of the Fire Department in which the fire is to be maintained, on forms prepared and under rules and regulations approved by the Fire Department, shall not be allowed in residential neighborhoods. Such authorized fires shall only be allowed for agricultural and farming purposes.

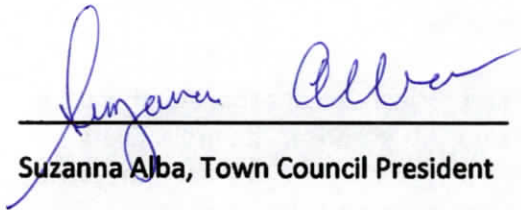
- D. Every fire set, maintained or authorized in violation of this section shall constitute a separate violation, and a person violating the above provisions shall be punishable by a fine not to exceed the statutory maximum.

Section 2. These ordinance amendments shall take effect thirty (30) days after their adoption.

ADOPTED:



Lyn Antonuccio, Acting Town Clerk



Suzanna Alba, Town Council President

Approved as to form and legality :



Anthony M. Gallone, Town Solicitor