



# CITY OF OWENS CROSS ROADS

## ORDINANCE NO. 25-002

### An Ordinance Regulating Construction Site Warming Fires Within the City of Owens Cross Roads, Alabama

**WHEREAS**, the City of Owens Cross Roads recognizes the need to provide for the safety and well-being of construction workers during the colder months; and

**WHEREAS**, the use of controlled warming fires on construction sites can be a safe and effective means of providing warmth for workers; and

**WHEREAS**, the City Council desires to establish clear and concise regulations governing the use of such fires to ensure public safety and minimize the risk of fire hazards;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OWENS CROSS ROADS, ALABAMA**, as follows:

#### Section 1. Definitions

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

- **Construction Site Warming Fire:** A contained fire for the sole purpose of providing heat and warmth to onsite construction workers, constantly attended while workers are onsite.

#### Section 2. Permit Requirements

Fires that are ignited between November 1st and April 30th for the purpose of providing warmth to workers at construction sites for which a building permit has been issued shall be permitted providing the following conditions are met:

1. **Fire Container:** The fire shall be contained in a noncombustible container not to exceed 55 U.S. gallons, with the opening covered by an ash screen.
2. **Setbacks:**
  - Fire containers shall be located a minimum of 25 feet from any structure, dumpster, tree, or bush, or any other combustibles.
  - Fire containers shall be located a minimum of 25 feet from electrical lines and/or electrical service.
3. **Burning Materials:**
  - Only clean fuel not containing garbage shall be burned.
  - Burning of rubber, plastics, metals, shingles, treated lumber, or other hazardous materials is strictly prohibited.
4. **Fire Height:** Burning materials shall be no higher than the top of the container.
5. **Fire Extinguisher:** A fire extinguisher shall be located within ten feet of the fire container.
6. **Attendant:** Fires shall be extinguished when no worker is in attendance.

7. **Debris Disposal:** No burn debris shall be placed in construction dumpsters.
8. **Permit Requirement:** The contractor shall apply in advance for a safety permit issued in their name from the City of Owens Cross Roads Inspection Department. The contractor shall be held liable for all permit violations on the burn site.

**Section 3. Enforcement**

Any violation of this Ordinance shall be deemed a misdemeanor and shall be punishable by a fine of not more than \$100 for each offense and court costs, if necessary. Each day that a violation continues shall constitute a separate offense.

**Section 4. Severability**

If any provision of this Ordinance is held to be invalid or unconstitutional, such invalidity shall not affect the validity of the remaining provisions of this Ordinance.

**Section 5. Effective Date**

This Ordinance shall take effect immediately after its final passage and publication as required by law.

APPROVED AND ADOPTED THIS 21<sup>st</sup> DAY OF JANUARY 2025.

Approved By:

Attest By:

  
\_\_\_\_\_  
Tony Craig, Mayor

  
\_\_\_\_\_  
Christie D. Eason, City Clerk/Treasurer

City of Owens Cross Roads, Alabama, certificate of publication.

This is to certify that Ordinance No. 25-002, City of Owens Cross Roads, Alabama, was published by posting on the City website, and on at least four (4) bulletin boards within the City.

