

*****ATTACHMENTS*****

CITY OF SHEBOYGAN

REQUEST FOR PUBLIC WORKS COMMITTEE CONSIDERATION

ITEM DESCRIPTION: Resolution Regarding a Request for Amending Section 74-63 of the City Municipal Code Entitled "Fire Control" so as to Eliminate Recreational Fires on Beaches.

REPORT PREPARED BY: Joseph L. Kerlin, Superintendent of Parks and Forestry

REPORT DATE: September 22, 2016

MEETING DATE: September 27, 2016

FISCAL SUMMARY:

Budget Line Item: N/A
Budget Summary: N/A
Budgeted Expenditure: N/A
Budgeted Revenue: N/A

STATUTORY REFERENCE:

Wisconsin Statutes: N/A
Municipal Code: 74-63

BACKGROUND / ANALYSIS:

Public Works, Fire Department and volunteers have worked hard to provide several fire pit rings to the public on the beaches of Lake Michigan since 2010. After closely monitoring this over the last two years, it has been determined that even with the guidelines set, there is an overabundance of hazardous garbage, nails, broken glass, burnt aluminum cans with sharp edges, buried burning wood, and the addition of tons of small charred wood that scatter the beach giving it an un-clean look.

This ordinance change was first introduced to the Public Works Committee on August 9, 2016. Several questions were asked by the committee with a motion to table and discuss again at the next meeting with representation from the Fire and Police department. This item was discussed again at the September 13, 2016 meeting. Below is a list of questions from the committee and answer from city staff.

- Has anything been done to improve the situation so fire rings can be kept?
Up until early 2015, the fire department staff would make an effort to clean the fire rings every week. After receiving several concerns from the city's fire companies, Fire Chief Mike Romas sent me a "Fire Ring Proposal" letter and asked to meet and discuss and implement the ideas on the proposal. This proposal is attached as well as the signs that were posted by each fire ring. The cleaning of the rings is now done by a volunteer group and signs are posted.
- Are fires allowed on the beach in areas other than the ring and is there a fine?
Fires are only allowed in designated fire rings. They are also allowed from 6pm – 10pm on the day that the fourth of July is celebrated and a fire permit can be obtained from the Fire Department for bigger events. The fines are posted on the signs with list of the rules. The first offense is \$187 and second is \$250.

- Are there other cities that allow fires on the beach?
The Attorney's office did a search of beaches in the area and found that fires are not allowed anywhere else except for the Town of Port Washington. Recreational fires including beach fires are allowed under certain conditions and the Sherriff's Department must be contacted first if fires are before or after sun set.
- Would it help to have a garbage can by each fire pit?
I do not feel that this would help in anyway in fact I believe it would add to the problem. The items of most concern are broken glass, nails, cans and tons of charred wood. Responsible users will carry in and carry out and use clean wood but the beach is still left with charred wood that pollutes the beach.
- Can we make people get a permit to use the fire rings?
Not only would this be an administration problem, the parks department would need an increase in staffing. I do not feel we would be able to hold users accountable. Also, people would continue use rings without a permit which brings us back to the same problem of not being able to enforce the set rules consistently.

At the September 13th Public Works Committee meeting, representatives from the Sheboygan Fire, Police and Public Works Department contributed their comments and concerns and asked that the fire rings be removed from the beaches and supported the ordinance change.

This recommendation was passed unanimously and presented to the Common Council on September 19th. The Council voted to return it to Public Works to be further discussed with some of the above questions being asked.

STAFF COMMENTS:

Providing fire pit rings along the beaches of Lake Michigan in 2010 was seen as a good thing for the community by the Fire and Public Works Department. Departments have posted signs with rules by each ring, asked for more enforcement and utilized volunteer groups to aid in the cleaning of the fire pit areas. Conditions have degraded each year and the beach areas around the rings are filling with hazardous debris. Lake Michigan has been allowed to be polluted, the Sheboygan River has been allowed to be polluted, do we want our beaches to also be polluted?

With that being said, the public has voiced concerns about the removal of the fire rings in different ways and I believe time can be taken to further listen to public concerns. I am suggesting that this agenda item be sent to the Marina, Parks and Forestry Board where public concerns can be heard at the October 4th, 2016 meeting.

ACTION REQUESTED:

Motion from the Public Works Committee to send R.C. 172-16-17 to the Marina, Parks and Forestry Commission for their review, allow public concerns to be heard and make a recommendation back to the Public Works Committee.

ATTACHMENTS:

- I. Fire Ring Proposal letter from Fire Chief Mike Romas
- II. Pictures of Fire Ring Sign and Fire Rings
- III. R.C. 172-16-17

Fire Ring Proposal

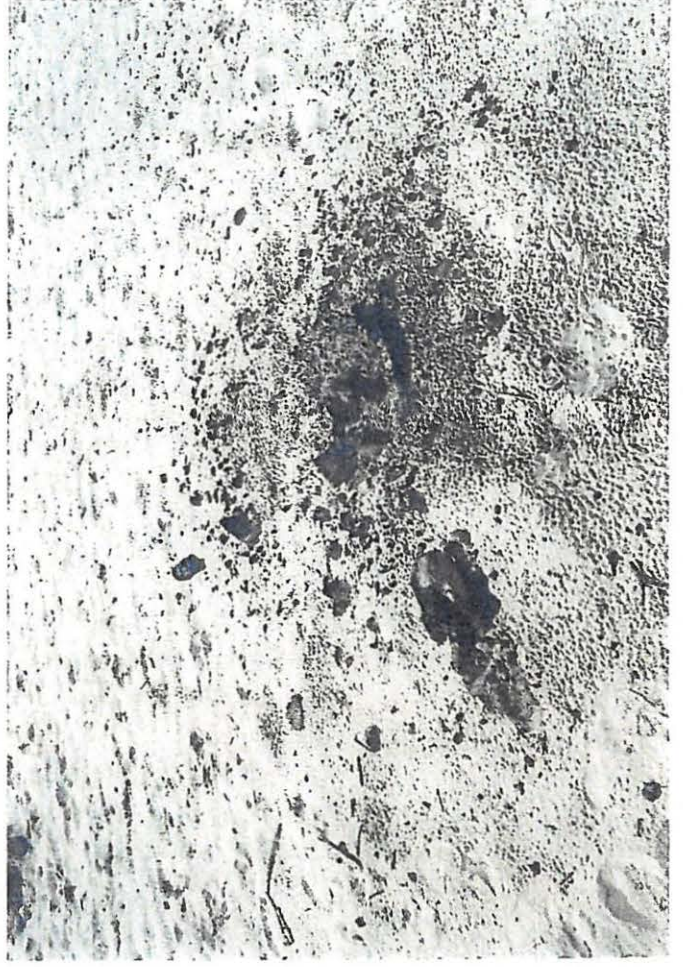
Several of my fire companies have recently brought concerns to me about the use and condition of our city's seven fire pits. This past Saturday, April 18th, a citizen living on top of the bluff above the North Side Beach called to report burning after hours. Sheboygan Police Department (SPD) Officer Matthew Heimrl responded and SFD Engine 1 with Lt. Roger Saeger also responded. Lt. Saeger reported to me that he witnessed 3 empty pickup trucks and a stack of 14 pallets, 2 doors, and at least one shelving unit in a pile ready to be burned.

In the past, SFD members have removed the following items from fire pit sites; pallets containing staples and nails, , doors, shelving units, syringes, pot pipes, condoms, glass bottles, metal cans, couches, chairs, golf clubs, air mattress, carpets, and AstroTurf to name a few.

I have the following recommendations to maintain and control the fire pits:

- 1) Increase burning enforcement on Friday, Saturday and Sunday nights. (SPD)
- 2) Install metal signs on heavy posts at each fire pit, between the road and the fire pit, with rules and regulations for burning. (DPW)
- 3) Increase the number of times the beach sanitizer/cleaner comes through each beach. (DPW)
- 4) Allow the organization responsible for cleaning to pile/stack fire pit debris along the road for pick up by the Department of Public Works at a specified time. (DPW)
- 5) It is my recommendation to end the Sheboygan fire department (SFD) cleaning the 7 fire rings along the City of Sheboygan beaches. I recommend transferring the cleaning of the pits to another responsible organization. The city could form a community partnership with a volunteer or youth organization to clean and maintain the fire rings, similar to the state's "adopt a highway" program. (SFD)

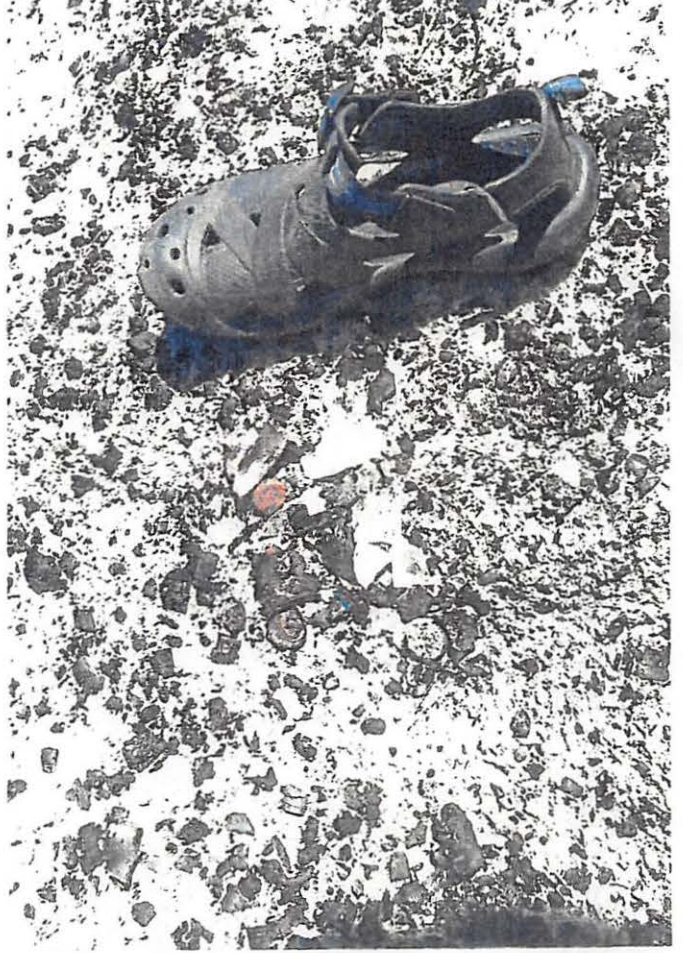
I feel that proper signage will go a long way to solve the above issues.

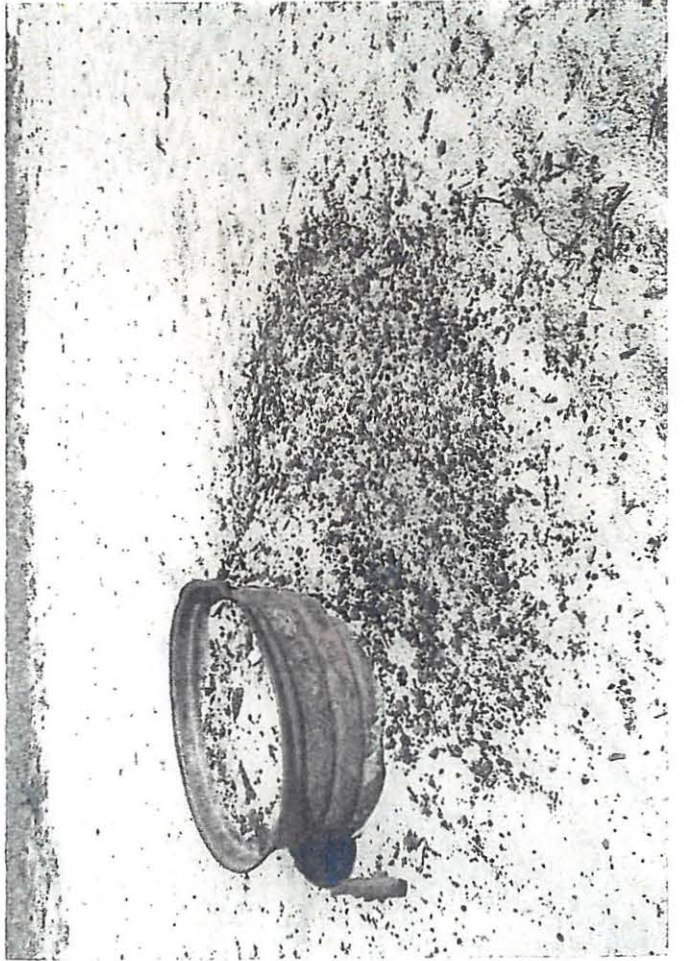
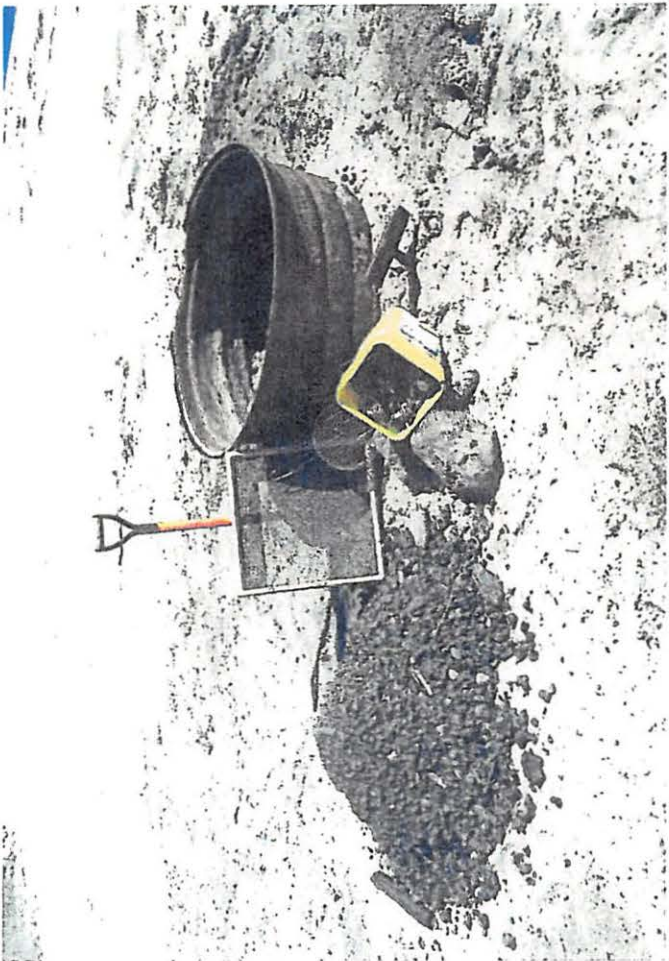
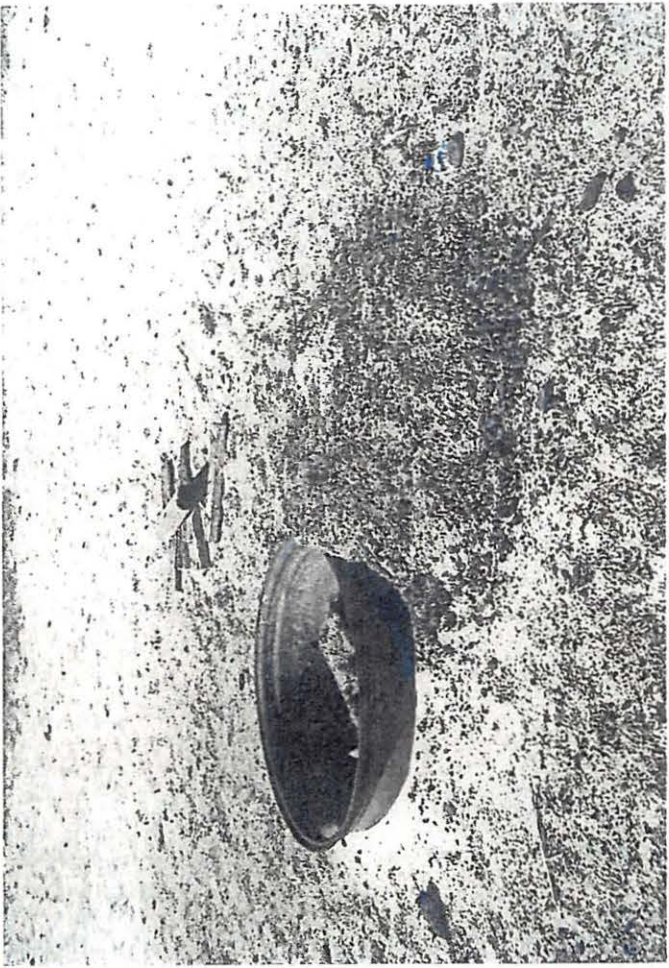


FIRE RING USE

- No Pallets or Furniture
- Clean fire wood, No nails
- No flammable Liquids
- Extinguish with water
- No glass containers
- Fuel height, less than 18"
- Contain fire in ring
- Supervise at all times
- Extinguish fire by 11:00pm
- No alcohol on beach
- Use fire ring at own risk

City Ord Sec. 74-63
\$187 fine - 1st Offense
\$250 fine - 2nd Offense





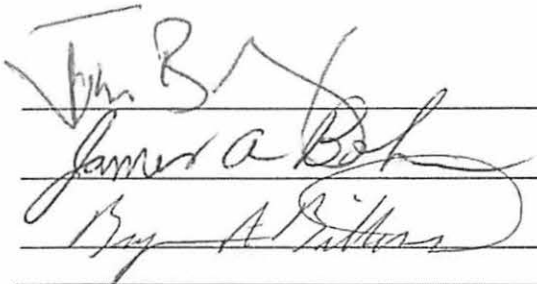
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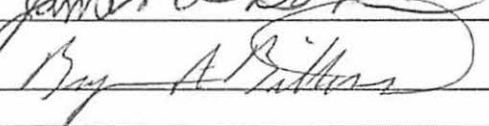
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R. C. No. 172-16-17. By PUBLIC WORKS. September 19, 2016.

Your Committee to whom was referred Gen. Ord. No. 15-16-17 by Alderperson Belanger amending Section 74-63 of the City of Sheboygan Municipal Code entitled "Fire Control" so as to eliminate recreational fires on beaches; recommends approving the Ordinance.

P.W.





Committee

I HEREBY CERTIFY that the foregoing Committee Report was duly accepted and adopted by the Common Council of the City of Sheboygan, Wisconsin, on the _____ day of _____, 20____.

Dated _____ 20____, _____, City Clerk

Approved _____ 20____, _____, Mayor



6.2

Gen. Ord. No. 15 - 16 - 17. By Alderperson Belanger. August 1, 2016.

AN ORDINANCE amending Section 74-63 of the City of Sheboygan Municipal Code entitled "Fire Control" so as to eliminate recreational fires on beaches.

THE COMMON COUNCIL OF THE CITY OF SHEBOYGAN DO ORDAIN AS FOLLOWS:

Section 1. Section 74-63 of the Sheboygan Municipal Code entitled "Fire Control" is amended so as to read as follows:

"Sec. 74-63. *Fire control.*

Fires shall be permitted in city parks and on city-owned property only under the following circumstances:

- (1) In metal grills in picnic areas;
- (2) As part of the officially sponsored activities of high schools within the city as set forth in section 50-182(10);
- (3) As otherwise permitted by the council; and
- (4) Except as specifically set forth above, all fires permitted in this section are further subject to the limitations on recreational bonfires set forth in section 50-182(6)."

Section 2. All ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and this ordinance shall be in effect from and after its passage and publication.

Pub-works approve

John B. [Signature]

I HEREBY CERTIFY that the foregoing Ordinance was duly passed by the Common Council of the City of Sheboygan, Wisconsin, on the ____ day of _____, 20____.

Dated _____ 20____. _____, City Clerk

Approved _____ 20____. _____, Mayor