

## Local Law Guideline: Braziers, fireplaces and firepits

<b>Local Law (section and title):</b>	Section 19 of <i>Community Standards for Private Land Local Law 2023</i>
<b>Approved by:</b>	Council
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### Purpose

These guidelines are designed to help residents in the Moreton Bay safely enjoy recreational firepits, fireplaces and braziers, whilst ensuring minimal disruption to surrounding residents and neighbourhood amenity.



### Guidance

Under the *Community Standards for Private Land Local Law 2023*, residents may light fires in braziers, fireplaces or firepits on any size property for recreational purposes. However, a fire cannot pose an unreasonable fire hazard and cannot cause a smoke nuisance. Following these guidelines will help to ensure public safety and maintain amenity.

**Brazier, fireplace and firepit requirements**

Features	Requirements
<p><b>Firepit/fireplace/ brazier design</b></p>	<ol style="list-style-type: none"> <li>1. As required by the Local Law, the fire must be contained within a purpose-built firepit, fireplace or brazier, which is constructed and maintained to prevent the escape of fire or any burning material.</li> <li>2. The fire (and any flammable material) should not be in contact with the ground.</li> <li>3. The design of the firepit, fireplace or brazier should allow the flow of air into the fire from below and the size of the fire should enable oxygenation and minimise smoke production.</li> <li>4. Portable firepits should be set up on a non-combustible surface such as concrete. They should not be set up on wood or grass.</li> </ol> <p><i>Council recognises that not all firepits and braziers available for purchase within the City of Moreton Bay comply with these requirements. It is the responsibility of the person lighting the fire to ensure that it is contained in a manner such that it complies with the requirements of the Local Law (e.g. it does not pose an unreasonable fire hazard).</i></p>
<p><b>Landowner or occupier permission</b></p>	<ol style="list-style-type: none"> <li>1. As required by the Local Law, the person responsible for the fire must have permission of the landowner (or occupier if applicable) to light the fire.</li> </ol>
<p><b>Fire must not pose an unreasonable fire hazard</b></p>	<ol style="list-style-type: none"> <li>1. As required by the Local Law, the fire must not pose an unreasonable risk of the flames coming into contact with, and causing burns to, a person, or causing damage to property.</li> <li>2. Ensure the weather and environmental conditions are appropriate for lighting the fire.</li> <li>3. As required by the Local Law, there must be a 2.5m clearance between all outer edges of the fireplace/firepit/brazier and the following: <ul style="list-style-type: none"> <li>○ all property boundaries (including neighbouring and street boundaries); and</li> <li>○ all buildings/structures (on the property or neighbouring properties), including balconies and roofed patios; and</li> <li>○ vegetation.</li> </ul> </li> <li>4. The fire should not be allowed to burn out overnight, and should be fully extinguished with water.</li> <li>5. No firepits/braziers can be lit if a fire ban or fire restriction is in place.</li> </ol>
<p><b>Fuel</b></p>	<ol style="list-style-type: none"> <li>1. You should never use petrol, oil, or kerosene to start or help light a fire.</li> </ol>
<p><b>Material to be burnt</b></p>	<ol style="list-style-type: none"> <li>1. As required by the Local Law, the fire must be fueled by clean, dry combustible materials only. This includes properly seasoned wood, charcoal, ethanol or gas.</li> <li>2. You must not burn treated or painted timber, plastics, rubbish, rubber, paints, fabrics, petrol, oils, solvents, or driftwood.</li> <li>3. You should avoid burning green waste, particularly on smaller properties.</li> </ol>

<b>Supervision</b>	<ol style="list-style-type: none"><li>1. An adult should be supervising the fire at all times.</li><li>2. Children should be supervised when around the fire.</li></ol>
<b>1 firepit/brazier</b>	<ol style="list-style-type: none"><li>1. Only 1 fire should be lit in a firepit, fireplace or brazier on a property at any one time.</li></ol>
<b>Health &amp; safety</b>	<ol style="list-style-type: none"><li>1. It is recommended that people keep at least 1.5 metres from the fire and don't breathe in smoke or fumes.</li><li>2. The smoke must not cause a nuisance.</li></ol>

## Related Documents

### Relevant legislation

- *Community Standards for Private Land Local Law 2023*
- *Environmental Protection Act 1994*
- *Fire and Emergency Services Act 1990*

### Council documents

- *Community Standards for Private Land Local Law 2023 Explanatory Notes*

## Definitions

Term	Definition
<b>City of Moreton Bay or Council</b>	Moreton Bay City Council
<b>Local Law</b>	<i>Community Standards for Private Land Local Law 2023</i>

## Document Control

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