

for use such fire extinguishing equipment as may be necessary for the total control of the fire while burning and/or extinguishing the fire.

(6) No materials may be burned upon any street, curb, gutter or sidewalk.

(7) Fuel for open burning shall consist of dry material only, and it shall not be ignited with flammable or combustible liquids.

(8) Material for open burning may not include rubbish, garbage, trash or any material made of or coated with rubber, plastic, leather or petroleum base materials. The material may not contain any flammable or combustible liquids.

(e) *Permitted burning hours.* Open burning shall be permitted only from 4:00 p.m. until 10:00 p.m.

(f) *Prohibition.* Outdoor burning shall be prohibited when the wind velocity exceeds nine miles per hour or circumstances make the fire potentially hazardous. Local circumstances include, but are not limited to, thermal inversions, ozone alerts and very dry conditions.

(g) *State code regulations.* Other regulations not listed in this section prescribed in Wis. Admin. Code §§ Comm 14.12, 14.13, 14.14, 14.15, 14.16 and 14.17, as well as all applicable statutes, shall also be followed. Other regulations listed in section 30-99 shall be followed.

(h) *Order to extinguish.* If at any time smoke from the fire makes a neighbor uncomfortable, and one is so advised, that fire shall be extinguished immediately.

(Code 1999, § 5-3-4; Ord. No. 1018B, §§ 1, 2, 12-20-1999; Ord. No. 1135B, § 1, 7-13-2005)

**\*\*\*\*\*OUTDOOR BURNING ORDINANCE UPDATE\*\*\*\*\***

**ADOPTED BY CITY COUNCIL**

**JULY 2011**

- NO INCINERATORS (BURN BARREL)
- FIRE PITS CAN NOW BE UP TO 36" (INSTEAD OF 32")
- HOURS OF BURNING
  - PERMIT REQUIRED 8 AM – 10 PM
  - CAMPFIRE 8 AM – MIDNIGHT (NO PERMIT REQUIRED)
- NO FIRES ALLOWED IF WINDS ARE GREATER THAN 9 MPH

***\*\*These are just some of the adjustments made to the ordinance. Most of it remained the same, like size of the pile. The city will update and publish the actual ordinance at a later date. All city ordinances are reviewed and updated annually.***

**Sec. 30-100. Outdoor burning.**

(a) *Generally.* Outdoor burning in the city will be permitted only for unique reasons and when the conditions of this section are met.

(b) *Approval.* Prior approval for open burning via a permit shall be required. A permit, the fee for which is as prescribed in section 1-22, may be obtained at the fire department during business hours. Except as provided in subsection (c) of this section, all persons shall obtain a permit from the fire department before kindling or maintaining any open burning or authorizing the kindling or maintaining of any open burning within the city limits. The fire department may also attach special rules or restrictions relating to open burning by permit. Such rules may govern conditions, including but not necessarily limited to the following:

- (1) Hours when burning is allowed.
- (2) Days when burning is allowed.
- (3) Material which may or may not be burned.
- (4) Whether open burning is allowed or whether burning is only allowed with an approved incinerator or burning device.
- (5) The length of time the permit is valid.
- (6) What constitutes an approved burning device or incinerator.
- (7) The size of the material pile burned by open burning.
- (8) The distance to be maintained between the material being burned and other flammable material.
- (9) Supervision required for burning, including the minimum age of supervisors and the type of fire extinguishing equipment which must be present at the burn site.
- (10) The manner in which ashes created by the burning under the permit are to be disposed of.

(c) *Exceptions.* The following open burning shall be permitted without authorization from the fire department:

- (1) Outdoor cooking over a fire contained in a device or structure designed for such use.
- (2) Fire pits not more than 32 inches in diameter, encircled with nonflammable material and located a minimum of 20 feet from any structure or 15 feet from a lot line. Fire pits shall be extinguished by 12:00 midnight or when left unattended.
- (3) Burning related to training for fire departments.

(d) *Restrictions.* The following restrictions shall be applicable when an open burning permit has been issued:

- (1) All open burning conducted pursuant to a permit shall be performed in a safe, pollution-free manner, when wind and weather conditions minimize adverse affects, and in conformance with local and state fire protection regulations. Open burning permits shall not be used to covertly burn plastic, construction debris or other prohibited materials.
- (2) The size of the pile of material to be burned shall not exceed four feet in any direction measured horizontally or three feet measured vertically.
- (3) The pile of material being burned shall be at least 50 feet away from any structure, wood or lumber pile, wooden fence, trees or bushes. Provision shall be made to prevent the fire from spreading to within 50 feet of such items, or the fire shall otherwise be contained in an approved incinerator or burner device which is located at least 15 feet from any structure, wood or lumber pile, wooden fence, trees or bushes.
- (4) Any ashes created by burning such material as is lawful under this section are to be disposed of in a manner authorized by law.
- (5) Open burning shall be constantly attended and supervised by a competent person at least 16 years of age until such fire is extinguished. This person shall have readily available