

**9.08 BURNING ORDINANCE.** (Am. #11-09-98-18)

It shall be unlawful to maintain, light or cause any fire in any manner inconsistent with the following provisions:

(1) It is unlawful to light, cause or maintain any fire anywhere within the Village, within 25 feet of any building, structure, or other flammable material other than that to be burned. No actual spread of such fire shall be required to establish a violation of this provision.

(2) The term "fire" for the purpose of this section shall not be construed to mean or include any fire within a furnace, stove, boiler, or fireplace located within a building or structure. The term "fire" shall not be construed to apply to those set by or at the direction of any official of the Village or of the Fire Department on the performance of an official duty, nor fires used for recreational or cooking purposes.

A recreational fire is defined as a fire to be used for cooking or warmth similar to a "campfire". The fire shall be 6 inches or less in diameter or no more than 5 feet tall. Recreational burning does not include fires in grills, fireplaces or similar fire enclosure devices.

(a) Notification of Fires. No person shall start or maintain a recreational fire unless such person notifies the Police Department prior to starting same. Notification of recreational burning may be done, verbally either in person or via telephone to the Police Department.

(3) It is unlawful to burn paper, cardboard or garbage of any kind, to include any rubber, plastic, styrofoam, manure or food items.

(4) It is unlawful to light, cause or maintain any fire anywhere within the Village except between the hours of 8:00 a.m. and 10:00 p.m.

(5) It is unlawful to burn leaves anywhere within the Village except between the hours of 8:00 a.m. and 10:00 p.m. during the period of September 30 through November 30 and April 1 through April 30 of each year; provided, that such leaves must be burned in an open location which shall not be upon any street, in compliance with sub. (1), and must be attended by a person 14 years of age or older, in possession of a water hose or container which contains at least 5 gallons of water (or in case of a hose, is connected to a source of water which can provide an uninterrupted flow of water at Village water main pressure, and which hose is charged with water and capable by way of nozzle to direct water upon the fire within 30 seconds) at all times while such fire is burning.

(6) Fires still burning at 10:00 p.m. shall be extinguished.

(7) Fires shall contain wood only. Other building materials are prohibited.

(8) Fires shall not be started or accelerated using flammable liquids, such as gasoline.

(9) Any person causing, lighting, or maintaining a fire, whether lawful or otherwise, shall upon a determination of any police officer of the Village or officer of the Fire Department that such fire constitutes a safety hazard, or is a nuisance to any person or property, extinguish such fire immediately, and failing to do so shall be deemed a violation of the provision.