

ORDINANCE NO. 03-3

**AN ORDINANCE TO AMEND SECTION 5.11 OPEN BURNING
OF THE VILLAGE OF PALMYRA CODE OF ORDINANCES**

The Village Board of the Village of Palmyra, Jefferson County, Wisconsin, hereby ordains as follows:

1. Section 5.11 of the Village of Palmyra Code of Ordinances is hereby amended to read as follows:

(1) The following Open Burning Shall be Permitted:

- (a) Outdoor cooking
- (b) Campfires using firewood
- (c) The burning of yard waste and/or scrap building materials
- (d) Fire Department training

(2) Definitions

- (a) Firewood. Split logs, tree limbs and unmilled wood cut in segments not exceeding twenty-four (24) inches in length and intended to be burned as fuel in a camp fire, fireplace, wood-burning stove or similar heat-generating device.
- (b) Yard waste is dry leaves, brush or branches and plant material
- (c) Scrap building materials is dry, unpainted, untreated lumber

(3) Size of Pile – The size of the pile of material to be burned shall not exceed four feet by four feet by three feet high, except that outdoor cooking fires and campfires can be no more that three feet by three feet by one and a half feet high.

(4) Material For Burning

- (a) The material for burning shall consist of only the dry burnable material defined in section 2.
- (b) The material for burning may not include rubbish, garbage, trash, recyclable materials, asphalt or creosote based or coated materials or any material made or coated with rubber, plastic, leather, or petroleum based materials nor lumber or wood which has been painted, stained, varnished, sealed or treated by any process to prevent rot.

- (c) The use of flammable or combustible liquids as a fire starter or accelerant is prohibited except common charcoal lighter fluid may be use to start cooking fires.

(5) Supervision – Every fire permitted under this ordinance shall be attended to at all times by a competent person at least 16 years of age with sufficient fire fighting equipment including rakes, shovels, water hose and any other materials needed to allow the property owner to control the fire at all times.

(6) Location

- (a) All permitted burning shall take place on the owners residential property only, with no burning permitted in the roadway, road rights of way, utility easements, municipal easements, on sidewalks or on the property of another.
- (b) Burning materials to be located at least thirty (30) feet from any neighboring residence.

(7) Time of Burn – Open burning shall be permitted from 7:00 a.m. to ½ hour before sunset except campfires and cooking fires.

(8) Prohibitions

- (a) Open burning shall be prohibited when the wind velocity exceeds ten miles per hour or upon declaration of a W.D.N.R. burning ban.
- (b) No burning is allowed for any business, organization of any kind or any other entity other than a residential property owner, unless it is a controlled burn. See sect. 5.11 (10)

(9) Cost of Fire Run – Any person, business, corporation or organization which violates the terms of this ordinance, or burns in a manner which results in a fire run by any fire department, shall, in addition to the penalties provided for in 5.15, be liable to the Palmyra Fire District for the current charge of a fire run by the Palmyra Fire Department.

(10) Controlled Burning Regulation

- (a) All controlled burns must be authorized in writing by the Fire chief or his representative.
- (b) Any area over one acre in size must be inspected by the Fire Chief or his representative prior to burning.
- (c) Controlled burns are subject to atmospheric conditions and availability of Fire District resources.
- (d) Persons conducting controlled burns are responsible for any and all damage to property that is intentional or unintentional.

2. This ordinance shall take effect upon its passage and publication as provided by law.

Adopted this 2nd day of June, 2003.

Donald Agen, President

ATTEST:

Dee Dee Morateck, Clerk