

Village of Potter, County of Calumet
Ordinance #2006-4

Ordinance Regulating Open Burning within the Village of Potter

The Village Board of Potter does hereby ordain as follows:

Section I. OPEN BURNING.

(a) **Open burning shall be prohibited.** No person, firm, or corporation shall build any outdoor fire within the limits of the Village of Potter excepting as set forth in Subsection (b) of this Section.

(b) **Exceptions.**

1. Outdoor cooking over a fire, or a campfire, contained in a device or structure designed for such use is permissible;

2. Other desirable outdoor burning not specified by this Subsection, but not as an alternative to refuse removal or disposal of which other methods are available, may be granted single occasion approval as in Subsections (2) and (3) above.

3. Whenever approval and special permit are granted by the Fire Chief under Subsection (b)(2) of this Section, the permit may specify and be conditioned on observance of safety restrictions and insurance requirements set forth therein.

(c) **Chief May Prohibit.** The Fire Chief is permitted to prohibit any or all bonfires and outdoor fires when atmospheric conditions or local circumstances make such fires hazardous.

(d) **Burning on Streets.** No materials may be burned upon any street, curb, gutter, or sidewalk.

(e) **Liability.** Persons utilizing and maintaining outdoor fires shall be responsible for any liability resulting from damage caused by his fire.

(f) **Fuel.** Fuel for open burning shall consist only of dry material.

(g) **Material.** Material for open burning may not include rubbish, garbage, bask any material made of, or coated with paint, rubber, plastic, leather, or petroleum based materials and may not contain any flammable or combustible liquids, or wood treated with preservatives.

(h) **Burning Supervision.** Open burning that is allowed shall be constantly attended and supervised by a competent person until such fire is extinguished; this person shall have readily available for use fire extinguishing equipment deemed necessary by the Fire Chief.

(i) **Inspection.** Application for permit constitutes consent that the Fire Chief or the chief's designee may enter and inspect the property where the open burning site is located.

(k) **Penalty.** Any person who violates any provision of this ordinance, or burns material not permitted herein, or fails to comply with any provisions of a permit issued by the Fire Chief shall be required to forfeit not less than \$100 nor more than \$200, together with the costs of

prosecution. Second offense occurring within a twelve (12) month period, no less than \$200 nor more than \$300, together with the cost of prosecution.

Section II. This ordinance shall take effect and be in full force upon passage and publication as provided by law. This Ordinance adopted the 14th of June, 2006.

This ordinance adopted the 14th day of June, 2006.

President: Doug Lau

Attest: Clerk: Dennis Gruett

Posted 06/15/06

Notice is hereby given on this _____ day of _____, 2_____.

To owner of (property address) _____:

The Village of Potter, in compliance with Ordinance #2006-4 regarding Regulation of Open Burning within the Village of Potter is giving you written notice that the said ordinance must be adhered to. A copy of this ordinance is available for viewing through any Village of Potter Board member or the Village of Potter Clerk.

Penalties. Any person violating any provision of this ordinance shall forfeit not less than \$100 nor more than \$200, together with the costs of prosecution. Second offense occurring within a twelve (12) month period, no less than \$200 nor more \$300, together with the cost of prosecution.

Directive Comments: _____
