

**ORDINANCE NO. 2018-05-14-01**

**AN ORDINANCE AMENDING AND RESTATING SECTION 8.03 OF THE VILLAGE CODE – OUTDOOR BURNING**

**WHEREAS**, Section 8.03 of the Village Code governs outdoor burning in the Village; and

**WHEREAS**, the Village desires to amend and restate Section 8.03 of the Village Code to reflect the Village's coordination with Lake Country Fire and Rescue with regard to outdoor burning activities.

**NOW THEREFORE, BE IT RESOLVED**, the Village Board of the Village of Chenequa, Waukesha County, Wisconsin does ordain and adopt an amended and restated Section 8.03 of the Village Code as follows:

**8.03 PROHIBITION OF OUTDOOR BURNING WITHOUT PERMISSION.**

(1) Except as set forth herein, outdoor burning of any kind without the permission of the Village is strictly prohibited. Permission is to be granted by the Village Police Department. Permission will be based on wind and environmental conditions.

(2) Permission will only be granted on the day of the proposed burn.

(3) The following rules apply to any person who burns in the Village in addition to any special restrictions set forth in the permission:

(a) Burning permission will not be granted when the wind velocity is predicted to exceed nine (9) miles per hour, or local circumstances make the fire potentially hazardous. Local circumstances include, but are not limited to, thermal inversions, ozone alerts, and very dry conditions;

(b) Any burning or fires must be supervised on a continuous basis by a person who is capable of controlling the burning or fire and who is at least sixteen (16) years old;

(c) A ready and sufficient water source must be immediately available when any burning takes place;

(d) Open burning shall be permitted only from 7:00 A.M. to one-half hour after sunset or as otherwise permitted by the Village;

(e) Recreational fires, also known as bonfires, are allowed between the hours of 6:00 P.M. and 12:00 A.M.;

(f) The following materials may not be burned within the Village: (i) rubbish or garbage including, but not limited to, food waste, food wraps, packaging,

animal carcasses, animal waste, paint or painted materials, furniture, composite shingles, construction or demolition debris, or other household or business waste; (ii) any material made of or coated with rubber, plastic, or leather, or petroleum based materials; (iii) materials containing any flammable or combustible liquids; (iv) treated or painted wood including, but not limited to, plywood, composite wood products or other wood products that are painted, varnished or treated with preservatives; and (v) any materials required to be recycled by law; and

(g) There shall be no burning on construction sites of any building materials at any time.

(i) Piles of material or non-contained material being burned shall be at a distance of fifty (50) feet from any structure, wood or lumber pile, wooden fence, trees or brushes; and provision shall be made to prevent the fire from spreading to such items; and

(ii) Contained burning shall be conducted in an approved container located at least twenty five (25) feet from any structure, wood or lumber pile, wooden fence, and trees or brushes.

(4) Any burning that is found to be a nuisance to neighboring properties, as determined by the Village Police Department or Lake Country Fire and Rescue, shall be extinguished immediately regardless of whether permission has been issued.

(5) In the event of dry conditions, the Fire Chief of Lake Country Fire and Rescue may, in his or her discretion, impose a burning ban until such time as conditions improve.

(6) Any prairie burns (i.e., the burning of ground area of more than five hundred (500) square feet) must be conducted under the supervision of Lake Country Fire and Rescue. Arrangements must be made in advance to secure Lake Country Fire and Rescue personnel for the entire duration of the burn. The Fire Chief of Lake Country Fire and Rescue may refer oversight to qualified and/or certified personnel that shall oversee and carry out the responsible oversight and management of such burns. The property owner shall be responsible to pay or reimburse all costs or fees incurred for the supervision of such burns.

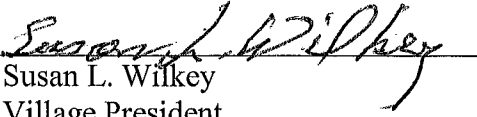
(7) Failure to comply with above conditions may result in a response from Lake Country Fire and Rescue or the Village. All costs associated with such responses may be charged to the property owner.

(8) The restrictions of this Section 8.03 do not apply to outdoor burning using barbecue grills, outdoor fireplaces or similar equipment or appliances, which confine and control the fire. Property owners shall be responsible to pay or reimburse all costs or fees incurred by the Village and Lake Country Fire and Rescue; including, without limitation, fees set forth in the fee structure adopted annually each year by Lake Country Fire and Rescue.

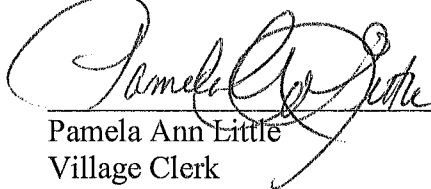
(9) Any violations of this Section 8.03 shall be subject to fines as outlined in Village Code Section 1.01(9) Penalties.

Dated: May 14, 2019

VILLAGE OF CHENEQUA

BY:   
Susan L. Wilkey  
Village President

ATTEST:

  
Pamela Ann Little  
Village Clerk

Date Adopted: May 14, 2018  
Date Posted: May 15, 2018