

5.14 **OPEN BURNING REGULATED**

5.14.1 **PROHIBITED BURNING**. Unless specific written approval has been obtained from the Department of Natural Resources, the following materials may not be burned in an open fire, incinerator, burn barrel, furnace, stove, or any other indoor or outdoor incineration or heating device. A permit will not be issued for burning any of the following materials without air pollution control devices and a written copy of approval by the Department of Natural Resources.

- (a) Rubbish or garbage including but not limited to food wastes, food wraps, packaging, animal carcasses, paint or painted materials, furniture, composite shingles, construction or demolition debris or other household or business wastes.
- (b) Waste oil or other oily wastes except used oil burned in a heating device for energy recovery subject to the restrictions in Chapter NR590, Wisconsin Administrative Code.
- (c) Asphalt and products containing asphalt.
- (d) 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.
- (e) Any plastic material including but not limited to nylon, PVC, ABS, polystyrene or urethane foam, and synthetic fabrics, plastic films and plastic containers.
- (f) Rubber including tires and synthetic rubber-like products.
- (g) It shall be unlawful for any person, firm or corporation to burn leaves, pine needles, or grass clippings within any part of the Village of Biron.

5.14.2 **RECREATIONAL BURNING**

(a) All allowed open burning shall be conducted in a safe, nuisance-free manner. Burning shall occur when wind and weather conditions minimize adverse effect. Burning may not create a health hazard or a visibility hazard on roadways. Open burning shall be conducted in conformance with all local and state fire protection regulations. Open

burning shall be conducted only on the property on which the materials were generated or at a facility approved by an in accordance with provisions established by the Department of Natural Resources and the Fire Chief.

(b) Open burning shall only be conducted at a location at least 250 feet from the nearest building which is not on the same property.

(c) Except for barbecue, gas and charcoal grills, no burning shall be undertaken within 25 feet from any combustible material, combustible wall or partition (including any overhang for such), exterior window opening, exit access or exit unless authorized by the Fire Chief.

(d) Open burning shall be constantly attended and supervised by a competent person of at least eighteen (18) years of age until the fire is extinguished and is cold. The person shall have readily available for use such fire extinguishing equipment as may be necessary for the total control of the fire. The size of the burning pile shall be no more than six feet in length, height and width unless the authority having jurisdiction (AHJ) has issued a special permit.

(e) No materials may be burned upon any street, curb, gutter or sidewalk or on the ice of a lake, pond, stream or any other body of water.

(f) Notwithstanding any other provision of this ordinance, paper and cardboard products may be used as a starter fuel for a fire that is allowed under this ordinance.

(g) Small quantities of confidential papers from a residence may be burned if necessary, to prevent the theft of financial records, identification or other confidential information. Confidential papers from a commercial enterprise shall be shredded or destroyed in a manner other than open burning.

(h) Outdoor campfires for cooking, ceremonies or recreation are allowed without a permit provided that the fire is confined by a control device or structure such as a barrel, fire ring or fire pit. Bonfires are allowed only if approved by and in accordance with provisions established by the Fire Chief.

(i) Burning of trees, limbs, stumps, brush or weeds for clearing or maintenance of rights-of-way is allowed if approved by the Fire Chief and in accordance with other provisions of this ordinance.

(j) In emergency situations, such as natural disasters, burning that would otherwise be prohibited is allowed if specifically approved by the Department of Natural Resources, and/or Fire Chief.

5.14.3 **BURNING BY PERMIT**

(a) *Unlawful burning.* It shall be unlawful to burn brush, rubbish or any other debris within any part of the Village of Biron without a burning permit, unless there is a complete ground cover of snow that is more than one inch (1"). The burning of brush, rubbish or any other debris in any part of the Village of Biron shall only take place in accordance with permit guidelines.

(b) *Burning permits.* Permits for control burning in the Village of Biron can be obtained by going to <https://dnr.wi.gov/burnpermits/> or call 1-888-WIS-BURN (947-2876) on the day you wish to burn after 11 a.m., check the daily burning restrictions or call the hotline 1-888-WIS-BURN (947-2876) and select the county (county codes for burning permit hotline) where you plan to burn. Fire allowed, burning hours and any size limitations. All Village residents must adhere to all sections, rules, and regulations of this Ordinance.

5.14.4 (am. Ord. #1-05 adopted 1/10/05) Any person open burning, whether permitted or not, which results in a response by the Village Fire Department shall be billed for the cost of such response.

(a) For any compost site, brush pile, wood chips, bark chips or combustible materials that results in a fire call, the Village Board will require the water usage and the cost of any chemicals or loss to fire department equipment and all labor costs that are incurred be billed back to the resident or business on any repeat calls made within a 12 month period after the first occurrence. This provision shall not apply to fire calls that affect living quarters.

5.14.5 **BURN BARRELS.** The use of burn barrels is prohibited.

5.14.6 **BURNING BANS.** Whenever the Fire Chief or the Department of Natural Resources shall deem it imprudent for burning, because of extreme dryness, shortage of water, high wind, particular hazardous location or any other reason, either may forbid by order, the setting of any such fires at any time, refuse to issue a permit where one is requested, or temporarily suspend previously issued burning permits for open burning. *Except for barbecue or*

gas grills and charcoal grills used in the immediate vicinity of a residential dwelling on a non-combustible surface, no open burning shall be undertaken during periods when either the Fire Chief or the Wisconsin Department of Natural Resources has issued a burning ban applicable to the area.