

CHAPTER 4

OPEN BURNING

SECTION:

- 5-4-1: Definitions
 5-4-2: Open Burning Prohibited
 5-4-3: Exemptions from Provisions

5-4-1: **DEFINITIONS:** For the purposes of this Chapter, the following words and phrases shall have the meanings respectively ascribed to them by this subsection:

BURNING PERMIT: A permit issued by the Village authorizing fires exempted from the general provisions hereof and setting conditions therefor.

OPEN BURNING: Burning any matter whereby the resultant combustion products are emitted directly to the open atmosphere without passing through a stack, duct or chimney of a type meeting specifications from time to time established by the State Pollution Control Agency.

RECREATIONAL FIRES: Wood burning fireplaces and open fires used solely for outdoor food preparation. (2002 Code)

5-4-2: **OPEN BURNING PROHIBITED:** Except as herein otherwise provided, open burning shall be prohibited within the Village. (2002 Code)

5-4-3: **EXEMPTIONS FROM PROVISIONS:**

A. Opening burning of the types, and subject to the conditions, as hereinafter stated, shall be exempt from the prohibition of Subsection B of this Section.

1. Recreational fires.
2. Fires under managed supervision, for which a burning permit has been obtained from the Village and where required by State law, from the Pollution Control Agency, but limited to the following:

- a. Fires purposely set for the instruction and training of public and industrial firefighting personnel.
 - b. Fires set for the elimination of a fire hazard which cannot be abated by any other practicable matter.
 - c. Fires purposely set for forest and game management purposes.
 - d. The burning of trees, brush, grass and other vegetation in the clearing of land, the maintenance of street, road and highway rights of way, and in accepted agricultural land management practices.
- B. Exemption to conduct fires under this Section does not excuse a person from consequences, damages or injuries which may result therefrom, not does it exempt any person from regulations promulgated by the State Pollution Control Agency or any other governmental unit exercising jurisdiction in matters of pollution or fire hazard regulation. (2002 Code)