

Ordinance NO. 2018-01

An Ordinance to establish the procedures and criteria for burning within the Village limits

The following sections are hereby created:

§59-22 Outdoor burning.

A) Open burning prohibited.

1. No person, firm, or Corporation shall build any outdoor fire within the corporate limits of the village excepting as set forth in subsection (b) of this section. This prohibition on burning includes burning of construction waste, debris at construction sites, and garbage.
2. No person shall be allowed to burn on any street, alley or sidewalk within the corporate limits of the Village.
3. Any open burning must be no less than 15 feet from any building or dwelling and a minimum of 10 feet from any lot line.

B) Exceptions

1. Outdoor cooking over a fire contained in a device or structure designed for such use.
2. Controlled burning of grass or similar vegetation for environmental management purposes in an area not exceeding one acre.
3. Any campfire used for heating, not to exceed 6ft x 6ft.
4. With prior written approval of the Fire Chief or his or her designee, the following may be permitted:
 - a. Controlled burning of grass or similar vegetation for environmental management purposes in an area exceeding one acre.
 - b. Ceremonial campfires or bonfires.
 - c. Campfires used for heating exceeding 6ft x 6ft.

C) Authority of the Fire Chief

1. The Fire Chief or his other appointed designee has the authority to issue special permits.
2. The Fire Chief, with the approval of the Village President, may prohibit bonfires and outdoor fires when atmospheric conditions or local circumstances make such fires hazardous, except for cooking or heating purposes contained in an area under 6ft x 6ft.
3. The Fire Chief and his or her designee have the authority to enforce this ordinance in cooperation with the Police Chief of the Village of Endeavor. The intention of this ordinance is compliance and therefore the Fire Chief or Police Chief shall first issue a warning for any

violation. If a warning has already been issued within a one month period then the Fire Chief or Police Chief shall issue a written citation.

D) Liability

1. Any person wishing to conduct open burning is liable for the containment of the fire and may face fine or arrest if they allow the fire to escape and cause damage to property, life or the environment outside of the fire's initial purpose.

§59-23 Regulating use of fire, burning materials and fireworks during extreme fire danger.

- A) Declarations of emergency. When there occurs a lack of precipitation, there may exist an extreme danger of fire within the village. This extreme danger of fire affects the health, safety, and general welfare of the residents of the Village, and constitutes a state of emergency. It is found that the regulation of fires, burning materials, and fireworks is necessary and expedient for the health, safety, welfare and good order of the village during said emergency.
- B) Regulation of fires, burning materials and fireworks. Pursuant to Wis. Stats. 166.23, and when a burning state of emergency is declared, it may be ordered that a person may not:
 1. Set, build, or maintain any open fire except:
 - a. Charcoal grills using charcoal briquette, gas grills, or camp stoves on private property; or
 - b. Charcoal grills using charcoal briquette, gas grills, or camp stoves in Village parks placed at least 20 feet away from any combustible vegetation.
 2. Throw, discard, or drop matches, cigarettes, cigars, ashes, charcoal briquette or other burning materials while outdoors except into a noncombustible container that does not contain combustible materials.
 3. Light or ignite a flare, except upon a roadway in an emergency.
 4. Light, ignite or use anything manufactured, processed, or packaged solely for the purpose of exploding, emitting sparks, or combustion for amusement purposes, including fireworks, firecrackers, bottle rockets, caps, toy snakes, sparklers, smoke bombs, cylindrical or cone fountains that emit sparks and smoke, except in displays authorized by the village where adequate fire prevention measures have been taken.
- C) Period of emergency.
 1. The periods of emergency for which this section shall be in effect shall be during such periods that Marquette County is under Wisconsin Department of Natural Resources emergency fire regulations banning outdoor smoking and campfires, or when necessary as determined by the Village President upon the recommendation of the Fire Chief.
 2. Pursuant to Wis. Stats. 166.23, burning emergencies shall become effective upon the time and date of the Village President declaring a state of emergency and shall remain

in effect until the period of emergency ceases to exist or until the ratification, alteration, modification, or repeal of the burning state of emergency by the Village Board

This ordinance shall be effective upon posting as provided by the law.