

## **Chapter 6**

# **OPEN BURNING**

### **4-6-1: DEFINITIONS:**

As used in this chapter, the following words and terms shall have the meanings ascribed to them in this section:

**OPEN BURNING OR OPEN FIRE:** Any burning of materials outside any building whether in a container, pit, or enclosed in any manner.

**PERSON:** Any individual, group, association, or corporation of any form or type. (Ord. 648, 9-3-1996)

### **4-6-2: OPEN BURNING PROHIBITION:**

Burning and open fires of any combustible materials of whatever type and kind within the village limits are prohibited with only certain limited exceptions as set forth in this chapter. (Ord. 648, 9-3-1996)

### **4-6-3: EXCEPTIONS:**

Open fires may be maintained within the village under the following circumstances:

- A. Village Officials: Fires started and attended by the personnel of the village or the Sugar Grove fire protection district.
  
- B. Recreational Purposes: Recreational campfires of less than three feet (3') in diameter burning untreated wood only, within a contained area, from the hours of ten o'clock (10:00) A.M. until ten o'clock (10:00) P.M. Sunday through Thursday and ten o'clock (10:00) A.M. through one o'clock (1:00) A.M. on Friday and Saturday.

- C. Request Permit: Festive and/or ceremonial burnings in excess of three feet (3') in diameter with a permit issued by the village. The village administrator or his/her designee shall review the permit request and may approve a permit with certain conditions or deny the request on the grounds of public safety when appropriate. Permitted burning hours shall be from the hours of ten o'clock (10:00) A.M. until ten o'clock (10:00) P.M. Sunday through Thursday and ten o'clock (10:00) A.M. through one o'clock (1:00) A.M. on Friday and Saturday.
- D. Cooking: Open fires used for cooking food at public or private gatherings, provided that such fires are exclusively for said purposes between the hours of seven o'clock (7:00) A.M. until ten o'clock (10:00) P.M. Sunday through Thursday and seven o'clock (7:00) A.M. through one o'clock (1:00) A.M. on Friday and Saturday. (Ord. 648, 9-3-1996)
- E. Landscape Debris: Leaves, diseased trees, and tree debris only may be burned on the premises on which they are generated, provided the burning takes place between ten o'clock (10:00) A.M. and six o'clock (6:00) P.M., with the wind velocity being less than ten (10) miles per hour. Burning leaves and debris must be completely extinguished after six o'clock (6:00) P.M., or if not attended as per section [4-6-5](#) of this chapter. (Ord. 2011-07-05A, 7-7-2011)

#### **4-6-4: FIRE LOCATION:**

No open burning may be maintained upon any public right of way in the village whether it be street, alley, parkway, or any other area within such public right of way. The burning also must be maintained a distance of not less than twenty feet (20') from any such right of way. Burning must be maintained a distance of not less than five feet (5') from any neighboring side or rear lot line and not less than twenty feet (20') from any structure. This section refers specifically to subsections [4-6-3B](#), C, and E of this chapter. (Ord. 648, 9-3-1996)

#### **4-6-5: ATTENDANCE:**

At such times that any open burning is being maintained at any location for any reason, the fire must be attended by an adult owner of the property on which the fire is being maintained or a supervisory person, eighteen (18) years or older, in charge of the persons conducting the burning. All fires must be completely extinguished beyond permitted burning times or if not attended. (Ord. 648, 9-3-1996)

**4-6-6: PENALTY:**

- A. Any person found in violation of this Chapter shall be subject to penalty as provided in Section [1-4-1](#) of this Code for each occurrence. Each day that a violation of this Chapter shall occur, shall be considered a separate offense incurring a separate fine plus court costs. (Ord. 648, 9-3-1996; 1998 Code)
- B. In addition to any penalties imposed under this Section, a person found in violation of this Chapter may be required to reimburse the Sugar Grove Fire Protection District for the cost of equipment and manpower used to extinguish any illegal fire. (Ord. 648, 9-3-1996)