

Red wording with strikeout = proposed wording removal

Blue wording = proposed wording additions

ORDINANCE 01-26

ORDINANCE TO AMEND PORTIONS OF VILLAGE ORDINANCE 33-9: OPEN BURNING

THE VILLAGE BOARD of the Village of Albany do ordain as follows:

SECTION I: Section 33-9 of the Code of Ordinances, Village of Albany, Wisconsin is amended to read as follows (in its entirety):

33-9. Open Burning.

- A. Open burning prohibited. No person, firm or corporation shall build any outdoor fire within the corporate limits of the Village of Albany excepting as set forth in Subsection B. This prohibition on burning includes burning of construction waste and debris at construction sites.

B. Exceptions.

- ~~Burning of small amounts of dry combustible rubbish (not to include wet combustible rubbish, garbage, oily substances, asphalt, plastic or rubber products) in single-family residences during the hours of 6:00 a.m. to 6:00 p.m. on Monday through Friday; 6:00 a.m. to 1:00 p.m. on Saturdays and Sundays. No flame or smoke is allowed after the ending time of each day. Burning of non-offensive materials in a wire refuse burner, basket or metal enclosure with a cover attached to prevent the escape of sparks and burning materials, located a minimum of 25 feet from a building; only one burner is permitted per lot.~~
- (1) Controlled burning of small amounts of dry leaves and dry plant clippings only during daylight hours.
 - (2) Burning of dry trees, natural wood, or brush ~~or demolition materials (excluding asphaltic or rubber materials)~~ by such methods as approved by the Department of Natural Resources.
 - (3) Fires set for practice and instruction of firemen or testing of fire-fighting equipment.
 - (4) Backfires to control forest fires or fires set for forest or wildlife habitat management with approval of the Department of Natural Resources where no reasonable alternative is available.
 - (5) Outdoor fires for cooking, ceremonies or recreation.

- (6) Small open flames for welding, acetylene torches, safety flares, heating tar or similar applications.
- C. Open burning procedures. All allowed open burning shall be conducted in a safe pollution-free manner, when wind and weather conditions are such as to minimize adverse effects and in conformance with local and state fire protection regulations.
- D. Chief may prohibit. The Fire Chief is permitted to prohibit any or all bonfires and outdoor fires when atmospheric conditions or local circumstances make such fires hazardous.
- E. Burning on streets. No materials may be burned upon any street, curb, gutter or sidewalk.
- F. Liability. Any person utilizing and maintaining an outdoor fire shall be responsible for any liability resulting from damage caused by their fire.
- G. Penalties. Any person who is in violation of this section will be subject to the General Penalty found in Chapter 1, General Provisions, Section 1-19.