

# City of Verona

## Open Burning Ordinance

### Sec. 5-2-9 - Open Burning.

(a) **Prohibitions; Definitions.** "Open burning," as used herein, shall mean burning done outside of a building. Open burning is prohibited in the City of Verona without first obtaining a permit, with the following exceptions:

- (1) Small outdoor fires used for cooking, provided they are contained within a grill designed for cooking or an outdoor fireplace with a screen to contain any embers produced by burning. The burning material should not contain yard waste or rubbish.
- (2) Small open fires for welding, acetylene torches, safety flares, heating tar, or similar applications.
- (3) No burning shall be allowed on or immediately adjacent to the surface of any blacktop street.
- (4) All leaf burning is prohibited.

(b) **Substances Which May Be Burned.** The following open burning may be conducted providing a burning permit is first obtained:

- (1) Reserved.
- (2) Fires set for practice and instruction of firefighters, or the testing of firefighting equipment.
- (3) The burning of small amounts of dry combustible rubbish not to include wet combustible rubbish, garbage, oily substances, asphalt, plastic, or rubber products.
- (4) The burning of trees, wood, limbs, stumps, brush, or leaves, provided, however, that such materials may be burned only in those areas zoned "agricultural".

### (c) **Open Burning Procedures.**

- (1) Before setting or starting any fire, a permit authorizing the setting or starting of such fire shall first be obtained from the Fire Chief or from any other person authorized or designated by the Fire Chief to issue such permits. All open burning conducted pursuant to such duly issued permit shall be performed in a safe, pollution-free manner, when wind and weather conditions are such as to minimize adverse affects, and in conformance with local and state fire protection regulation.
- (2) The size of the pile of material to be burned shall not exceed four (4) feet in any direction measured horizontally, or three (3) feet measured vertically.
- (3) The pile of material being burned shall be at least fifty (50) feet away from any structure, wood or lumber pile, wooden fence, trees, or bushes. Provisions shall be made to prevent the fire from spreading to within fifty (50) feet of such items or the fire shall otherwise be contained in an approved incinerator or burner device which is located at least fifteen (15) feet from any structure, wood or lumber pile, wooden fence, trees, or bush(es).
- (4) Any ashes created by burning such material as is lawful under this Section are to be disposed of in a manner authorized by law.
- (5) Open burning shall be constantly attended and supervised by a competent person of at least sixteen (16) years of age until such fire is extinguished. This person shall have readily available for use such fire extinguishing equipment as may be necessary for the total control of the fire while burning and/or extinguishing such fire.

### (d) **Application for Permit.**

(1) **Procedure for Issuance of Burning Permit.** Before the setting or starting of any open burning permitted under this Section, a permit authorizing the burn shall be first obtained by the owner, operator, or agent from the Fire Chief or from such other person as may be authorized or designated by the Fire Chief to issue such permits. Application for a burning permit shall be made in writing upon a form furnished by the Fire Chief. The Fire Chief may change the form from time to time; the Fire Chief may also establish from time to time special rules or restrictions relating to open burning. Such rules may govern conditions including, but not necessarily limited to, the following:

- a. Hours when burning is allowed;
- b. Day(s) when burning is allowed;
- c. Material which may or may not be burned;
- d. Whether open burning is allowed or whether burning is only allowed with an approved incinerator or burning device;

- e. The length of time the permit is valid;
- f. What constitutes an approved burning device or incinerator;
- g. The size of the material pile burned by open burning;
- h. The distance or distances to be maintained between the material being burned and other flammable material;
- i. Supervision required for burning, including minimum age of supervisors and type of fire extinguishing equipment which must be present at the burn site;
- j. The manner in which ashes created by the burning under the permit are to be disposed of. Any such future restrictions as may be developed by the Fire Chief, if such restrictions are not specifically ordained in this Section, shall be effective in regulating burning within the City, but only if such restrictions are printed on the face of the burning permit issued or attached thereto. Any such restrictions hereafter adopted by the Fire Chief which are not specifically ordained in this Section shall, provided they are printed on the face of the burning permit or attached thereto, be binding upon permit applicants; any violation of such restriction shall be punishable as violations of this Section.

(2) **Issuance Of Permit.** If the Fire Chief, or other person authorized or designated by the Fire Chief to issue such permits, finds that the proposed burning complies with all City ordinances and the regulations of the Department of Natural Resources as set forth in Wisconsin Administrative Code, he shall officially approve the application, and a burning permit shall be subsequently issued to the applicant. A copy of any burning permit, and the application therefore, shall be kept on file with the Fire Chief. If state approval is required, no local permit shall be issued until state approval is granted. No burning permit issued shall be valid for more than thirty (30) days from the date when issued.

(3) **Notice to Permittee.** Each permit issued shall provide notice of materials that may be burned and those which may not be burned and further notice to the permittee of possible civil and criminal penalties for violation of this Section and of state regulations.

**(e) Outdoor Fireplaces/Chimineas Units Regulated.**

- (1) All outdoor fireplaces must be used according to manufacturer's recommended requirements.
- (2) All fireplaces/Chimineas must be equipped with screens or containment systems to prevent the release of embers or sparks. They must be equipped with supports to protect surfaces from heat generated by the units.
- (3) All fireplaces/Chimineas units may only be used on concrete or other non-combustible surfaces. The use of a unit on a wooden deck, porch, patio, or under an overhang is prohibited.
- (4) Only the burning of dry, nontreated wood is acceptable. No lawn clippings, construction materials, garbage, brush, or other yard waste is permitted.

**Prairie Burns**

The City of Verona does allow for the burning of prairie grasses within the City limits under the following conditions:

1. The burn can only be done by a Professional Environmental Company
2. All neighbors must be contacted and informed about the burn
3. Any burning bans must be followed
4. Notify the Fire Department that you are conducting a burn