

PART A – REGULATIONS GOVERNING ALL PROPERTIES

3.23 OPEN BURNING. No person shall kindle, or cause to be kindled, any fire in or upon any street, alley, public way, park or any other outdoor public or private ground within the Town, except as permitted by this section.

(1) **BURNING OF TRASH PROHIBITED.** No person may burn any trash, garbage, plastics, shingles, foam, furniture, wire, metal, aluminum, vinyl products, rubber products, oil based products, or any other waste within the Town, except for dry paper and dry, untreated, natural wood. Burning of the following items is allowed: brush, leaves, needles, grass, clean wood, unrecyclable paper, and unrecyclable cardboard.

(2) **PERMISSIBLE OUTDOOR BURNING.**

(a) Barbecue Grills. Hibachis, gas-fired grills, charcoal grills and similar devices may be used for cooking, provided that no such device operating with an open flame shall be used or kindled on any balcony or under any overhanging portion of any building other than a one- or two-family dwelling. Grilling on ground level is permissible on all private property and in designated areas of Town parks, provided that the grill is at least 10 feet away from any structure. The operator of any such device shall assure that smoke is controlled so as not to unreasonably disturb others in the vicinity or cause dangers on public roadways. Electrical ranges, grills or similar electrical apparatus listed by a nationally recognized testing organization are exempt from the locational requirements of this paragraph.

(b) Recreational Fires. Fire pits, outdoor fireplaces, chiminea units, and similar devices or structures may be used outdoors for recreational purposes. Recreational fires shall be subject to the following restrictions, unless otherwise approved by the Fire Inspector and operated under conditions determined by the Fire Inspector to be necessary to provide an equivalent level of fire prevention:

1. Definition. For purposes of this section, a “unit” means a fire pit, outdoor fireplace, chiminea, or other device or structure used outdoors for recreational fires.
2. All fires shall be supervised at all times by an adult and have the proper means available to extinguish the fire. No fire shall be left unattended at any time.
3. Flammable or combustible liquids shall not be used to ignite the fire. This subdivision shall not apply to products designed and sold specifically to assist in the ignition of charcoal fires when used to ignite a fire permitted by this section.
4. The operator of any such fire shall assure that smoke is controlled so as not to unreasonably disturb others in the vicinity or cause dangers on

public roadways. The fire department can require that fires producing nuisance smoke be extinguished.

5. Portable fire pits, outdoor fireplaces, chiminea units, and similar devices may be used only if listed by a nationally recognized testing organization or approved by the Fire Inspector, and must be used according to the manufacturer's recommended requirements for the unit.
6. Fire pits, fireplaces and similar devices shall be used only on concrete or other noncombustible surfaces. The use of a unit on a wooden deck, porch, patio, or under a balcony or overhang is prohibited.
7. No fire of any kind shall be kindled or maintained under any balcony or overhanging portion of a building or nearer than the following distances from any portion of a building or other structure:
 - a. Portable fire pits: 10 feet.
 - b. Other fires: 25 feet.
8. Fuel burned shall be limited to commercially sold fire logs, dry natural firewood or tree trimmings, leaves, yard wastes, paper, or cardboard; but shall not include construction materials, garbage, lumber, pallets, or scrap chemically treated wood.

(3) OPEN BURNING PROCEDURES.

- (a) Wisconsin Department of Natural Resources (DNR) permits are required for the burning of vegetative debris. DNR annual burning permits are available at no cost and are issued for burning on the ground and in barrels. The permits are good for a calendar year and are non-transferable.
- (b) Special burning permits for commercial contractors may be issued by the DNR for larger quantities, all day burning, and broadcast burns.
- (c) All open burning shall be performed 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 regulation. The fire department can require that fires producing nuisance smoke be extinguished.
- (d) Any ashes created by burning such material as is lawful under this Section are to be disposed of in a manner authorized by law.
- (e) 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.
- (f) The Fire Chief shall have the authority to determine whether the burning is being performed in a safe, pollution-free manner, and to impose conditions on

any burning to the extent necessary to provide an adequate level of safety and fire prevention.

(4) LIABILITY. Nothing in this section shall be construed to create or increase any liability which might otherwise be imposed upon the Fire Chief, the Fire Department or any of its officers or members, the Town or any of its boards, committees, officials or employees to any third party. You may be held liable and responsible for all suppression costs if you fires escapes and starts a wildfire.

For a DNR burn permit contact the Wisconsin DNR
at: dnr.wi.gov/topic/forestfire/permits.html