

TOWN OF EAGLE POINT

CHAPTER 4

BURNING REGULATIONS

THE TOWN BOARD OF THE TOWN OF EAGLE POINT, CHIPPEWA COUNTY, DOES HEREBY ORDAIN AS FOLLOWS:

An Ordinance to establish rules and regulations for open burning in the Town of Eagle Point, Chippewa County, Wisconsin, excluding the area served by Wisconsin Department of Natural Resources Ranger Station.

Section 1. STATE STATUTES AND REGULATIONS ADOPTED.

The provisions of Wisconsin Statutes Chapter 26, where applicable, and the regulations of the Department of Natural Resources, NR 154.10, together with all acts supplementary thereto and amendatory thereof are hereby adopted and made a part of this ordinance.

Section 2. OPEN BURNING PROHIBITED.

Open burning is prohibited in the Town of Eagle Point, with the following exceptions:

*SEE
Attached
Amendment*

- A. Burning of brush or weeds on agricultural lands.
- B. Fires set for practice and instruction of firemen, or testing of fire-fighting equipment.
- C. Backfires to control forest fires or fires set for forest or wildlife maintenance with the approval of the DNR where no reasonable alternative is available.
- D. Burning of explosives or dangerous material for which there is no other safe means of disposal, as determined by the Fire Department.
- E. Burning of small amounts of dry combustible rubbish (no to include wet combustible rubbish, garbage, oily substances, asphalt, plastic, or rubber products).
- F. Burning at solid waste disposal sites licensed to burn wastes by the DNR, where such permit has been obtained.
- G. Outdoor fires for cooking, ceremonies, or recreation.
- H. Burning of trees, limbs, stumps, brush, or weeds for clearing or maintenance of right-of-ways.
- I. Small open fires for welding, acetylene torches, safety flares, heating tar, or similar applications.

- J. Burning of gaseous or liquid waste in a manner approved by the DNR.
- K. Burning of small amounts of dry leaves and dry plant clippings.

Section 3. **RESTRICTIONS.**

The following restrictions shall apply to open burning allowed in the Town of Eagle Point, under the exceptions of Section 2 above.

- A. 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. There shall be no burning when weather conditions are clearly dry and windy.
- B. No burning shall be allowed on Sundays and Holidays.
- C. Fires must be attended by a responsible person at all times.
- D. Fires must be completely extinguished prior to responsible person leaving the fire site.
- E. Open burning is expressly prohibited during DNR fire bans.
- F. Rubbish burning may take place only after 5:00 p.m. and rubbish must be burned in a fire-proof barrel or similar container with a ¼ inch mesh cover.

Section 4. **PERMITS**

When necessary, permits for burning may be obtained by application to the Town of Eagle Point or the Fire Department.

Section 5. **PENALTIES**

- A. For a violation of any provision enacted by reference, the penalty shall be as set forth in a statute or regulation.
- B. For a violation of Section 3 of this Ordinance, unless statutory, a fine of not less than \$5.00 nor more than \$100.00, or imprisonment of not more than 30 days or both.

Section 6. **SEVERABILITY**

Every provision of this Ordinance shall be considered separable, and the invalidity of any section, clause, provision, or portion hereof shall not affect the validity of any other portion.

This Ordinance shall take effect upon passage and publishing as required by law.

The foregoing ordinance was adopted at a regular meeting of the Town Board of the Town of Eagle Point, on the 31st day of August, 1981.

Resolution to Amend Chapter 4
Burning Regulation Ordinance

WHEREAS, the Town Board, having reviewed the Town Ordinances for burning regulations and wanted to amend and update the ordinance; and

NOW, THEREFORE, the Town Board of the Town of Eagle Point, State of Wisconsin, does amend Chapter 4 – Burning Regulation Ordinance, Section 2, Sub-section A, to read as follows: (Amendments in Bold and underlined)

Section 2. **OPEN BURNING PROHIBITED.**

Open burning is prohibited in the Town of Eagle Point, with the following exceptions:

- A. Burning of brush or weeds on agricultural lands. **The brush or weeds to be burned must originate from the site of the burn. Hauling in brush, weeds or other material from outside the burn area to any location in the Town of Eagle Point is expressly prohibited.**

That this Ordinance shall take effect upon its adoption and publication as required by law.

ADOPTED AND AMENDED this 20th day of July, 2009.

Michael Sedlacek
Michael Sedlacek - Town Board Chairperson

Posted this 22 day of July, 2009

Attest: Karen Knorn
Karen Knorn - Town Clerk