

**#2022-01**

**OPEN BURNING REGULATIONS ORDINANCE**

**AN ORDINANCE ESTABLISHING THE REGULATION OF  
OPEN BURNING**

The Town of Grant does hereby adopt this ordinance in its entirety governing the regulation of open burning in the Town of Grant.

WHEREAS, it is in the public interest and welfare to regulate open burning in the Town of Grant, as provided herein, because all open burning poses risks to the environment and public health. Smoke pollutes the air we breathe and ash pollutes our soil, groundwater, lakes, rivers, and streams. Burning anything in the outdoors can cause a wildfire. However, burning only approved materials and following state and local regulations can minimize the potential for these harmful effects.

WHEREAS, the Town of Grant also hereby adopts and incorporates by reference the laws and regulations of the Department of Natural Resources regarding open burning including but not limited to Wis. Stat. Ch. 285 and Wis. Adm. Code Ch. NR 429.

NOW, THEREFORE, the Town Board of Supervisors of the Town of Grant, Shawano County, Wisconsin, does ordain as follows:

**1-1. Purpose.**

This ordinance is adopted to provide guidance on open burning within the Township of Grant, Shawano County.

**1-2. Applicability.**

Burning in the following situations is hereby regulated or prohibited:

- A. Open burning.
- B. Burn barrel fires.
- C. Burning of construction waste.
- D. Burning of salvage.
- E. Burning of marsh hay, large areas of grass, large brush piles and large campfires over three feet in diameter.
- F. Burning of garbage, refuse, hazardous substances, industrial waste, waste tires, and medical waste.
- G. Burning of prohibited materials.

### **1-3. General Regulations.**

The following general regulations apply to all burning as hereafter classified:

- A. All fires shall be attended at all times by one person at least 16 years of age.
- B. A hose attached to a pressurized water source, fire extinguisher, or shovel shall be at hand to control spread of the fire.
- C. Only dry materials may be burned in order to prevent excessive smoke.
- D. Burning is prohibited when wind velocity exceeds 10 miles per hour.
- E. Fires may be no less than 10 feet from any structure or property line.
- F. No fire should be started later in the day than 1/2 hour before sunset.
- G. Except for starter fluid which can be used with small campfires and grills, burning of flammable or combustible liquids is prohibited.
- H. Burning of all types in any ditches or drainageways, whether on public or private lands, is prohibited.
- I. All persons should be considerate of neighbors at all times. In particular, consideration should be given to the direction of travel of smoke.

### **1-4. Specific Regulations.**

The following regulations apply to the following specific classifications of burning:

- A. Open burning.
  - i. Fires shall not exceed three feet in diameter.
  - ii. Only charcoal, clean untreated wood, regardless of diameter, dry leaves and brush, and non-treated paper products shall be burned.
- B. Burn barrels.
  - i. Only dry leaves or plant clippings, paper, cardboard, and clean untreated wood shall be burned in burn barrels.
  - ii. The top of the barrel must be covered by a wire screen.
- C. Prohibited materials.
  - i. Construction or demolition materials.
  - ii. Salvage materials.
  - iii. Garbage.
    - a. Burning of garbage, wet food scraps, refuse, hazardous substances, industrial waste, waste tires, and medical waste.
    - b. Combustibles, including construction materials, shall not be brought into the Town for the purpose of burning, unless as fuel for fires specifically permitted by this ordinance.
  - iv. Plastics of any kind.
  - v. Foam and other synthetic materials.

- vi. Treated or painted wood.
- vii. Asphalt.
- viii. Rubber.
- ix. Carpet.
- x. Vinyl siding.
- xi. Furniture or mattresses.
- xii. Oily substances.

#### **1-5. Exemptions.**

Controlled burns by the Town Fire Department for demolition or fire training are exempt from the provisions of this ordinance.

#### **1-6. Permit Required.**

Permits are required for burn barrels and brush burning in the Town of Grant and may be obtained by contacting Joanne Kostlevy at Plain Sense Printing:

W13747 County Road M  
Caroline, WI 54928  
Phone: (715) 754-2445

#### **1-7. Violations and penalties.**

Any person who shall violate any of the provisions of this article shall, upon conviction thereof, forfeit the amounts set forth below, together with costs of prosecution, and in default of payment of such forfeiture and costs of prosecution shall be imprisoned in the county jail of Shawano County, Wisconsin, until said forfeiture and costs are paid, but not exceeding six months. Each day of violation shall constitute a separate offense.

- A. Violators of Section 1-4 A, B, and C(i) shall forfeit not less than \$30 nor more than \$60.
- B. Violators of Section 1-4 C(ii-xii) shall forfeit not less than \$100 nor more than \$200.
- C. Violators of Section 1-3 shall forfeit not less than \$30 nor more than \$50 for the first violation, and not less than \$75 nor more than \$100 for a second violation.
- D. Before issuing a citation or ticket for a violation of this article, the enforcing officer shall issue a written warning to the violator. A copy of such warning shall be filed with the Town Clerk. Any subsequent violation by the same person shall result in a ticket or citation.

This ordinance shall become effective on publication.

**ADOPTED: September 12, 2022**

**APPROVED BY:**

**ATTESTED BY:**

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Richard Britzke, Chairman

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Sarah Knaup, Clerk

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Dale Klitz, Supervisor

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Bill Bowers, Supervisor