

ORDINANCE NO. 674

AN ORDINANCE AMENDING THE MUNICIPAL CODE
OF THE VILLAGE OF STOCKTON, JO DAVIESS COUNTY, IL
TO ADD CHAPTER 9 TO TITLE 6
REGULATING OPEN BURNING AND RECREATIONAL FIRES

WHEREAS, general open burning constitutes a threat to the health and safety of Village residents; and

WHEREAS, the Village Board of Trustees wishes to enact a new ordinance regulating open burning and recreational fires.

SECTION 1:

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Village of Stockton, that open burning and recreational fires within the corporate limits of the Village of Stockton are hereby subject to the following:

9-6-1 Open Burning Prohibited

Except as provided herein, it shall be unlawful and a public nuisance for any person to cause, suffer or allow open burning of any kind within the Village, including, without limitation, the burning of landscape waste.

9-6-2 Definitions

- (a) Open burning is the combustion of any material where smoke, fumes and ash are carried directly into the air.
- (b) Landscape waste is any and all accumulations of grass clippings; shrub, bush and vine cuttings; leaves; tree limbs up to 2" in diameter; brush; and other similar materials produced on a property and accumulated as a result of the care of lawns, yards, gardens, bushes, shrubs, trees and other natural landscaping.
- (c) Recreational fires are small outdoor fires burning dry, non-hazardous materials intended only for recreational use and enjoyment and include campfires, bonfires, outdoor fireplaces or a fire pit, ring or cage which are suitably constructed to contain a fire and prevent burning materials from falling.
- (d) Responsible adult is a person 18 yrs. of age or older who is not under the influence of any substance or suffering from a disability that would impair his or her ability to properly and safely supervise a fire.

9-6-3 Exceptions

(a) Open burning shall be permitted during specific ten (10) day periods in the Spring and Fall annually as determined by the Board of Trustees. Notice of such periods shall be published two weeks in advance on the Village's website, on utility billing and in local papers. All such burning shall comply with the following:

1. Only dry landscape waste produced on the property shall be burned.
2. Open burning shall be allowed during daylight hours only.
3. Burning must be supervised by a responsible adult at all times.
4. Burning shall not be allowed on windy days or when burning may otherwise be prohibited.
5. If possible, a garden hose shall be made available at the burn site.
6. No burning is allowed on Village streets or alleys.
7. No burning shall create a visibility hazard on streets or in alleys.
8. Care shall be taken to locate fires a sufficient distance from buildings, vehicles or other exposures to prevent fire spread and property damage.

(b) Outdoor fireplaces, fire pits, rings and cages and/or other devices designed for holding and burning wood for recreational purposes only shall be permissible in the Village subject to the following:

1. Fire pits shall not have an inside diameter of more than 42".
2. Fireplaces or fire pits, rings or cages shall not be used within 15' feet of a building or lot line.
3. Portable fire pits, rings or cages shall be used only on a level, stable, non-combustible surface.
4. Only clean/dry wood is permitted to be burned in fireplaces or fire pits, rings or cages.
5. No trash, yard waste or other material shall be burned.
6. If a fireplace or fire pit, ring or cage is a propane unit, only propane shall be used.
7. The smoke from a fireplace or fire pit, ring and/or cage shall not become a nuisance.
8. A garden hose, fire extinguisher, or other method of fire control shall be readily available.
9. The fireplace or fire pit, ring or cage shall be supervised at all times by a responsible adult.
10. The fire must be completely extinguished before being left unattended.
11. Manufactured fireplaces and fire pits, rings and cages shall be used in accordance with manufacturer's recommended guidelines for safe use.
12. The use of any type of grill that produces an open flame is prohibited from being used on the balcony, deck, patio or rooftop of any multi-family dwelling.
13. No propane tanks shall be stored within any multi-family dwellings or on balconies, decks, porches or rooftops of such buildings.
14. Barbecue grills may be used for grilling on ground level at a multi-family dwelling as long as the grill is 15' or more from the nearest overhang or any other part of the structure.

9-6-4 Other; Miscellaneous

- (a) Recreational fires are prohibited between the hours of midnight to noon daily.
- (b) Open burning and recreational fires are prohibited in the Central Business (B-C) District as shown on the Village's Zoning Map.

9-6-5 Violations/Penalty

Anyone found in violation of any of the provisions of this Ordinance shall be punishable by a fine of not less than one hundred dollars (\$100.00) for a first offense, not less than two hundred fifty dollars (\$250.00) for a second offense and up to five hundred dollars (\$500.00) for a third or subsequent offense.

9-6-6 Repealer

The provisions herein repeal the burning regulations contained in 8-1-16 of the Municipal Code (Ordinance 365, 10-14-1997).

SECTION 2:

This Ordinance shall be in full force and effect from and after its passage and approval.

Passed by the Board of Trustees of the Village of Stockton, Jo Daviess County, IL on October 8, 2019.

Introduced: October 8, 2019.
Passed: October 8, 2019.
Approved: October 8, 2019.

RODNEY A. BRANDT
Village President

ATTEST:

SUSANNE YOUNG
Village Clerk

Ayes: Julius, Kunz, Lickes, Eisfeller, Gonnerman
Nays: None
Abstain: Timpe