

TOWN OF LaGRANGE  
BURNING AND FIRE ORDINANCE  
ORDINANCE NO. 01-2022

The Town Board of the Town of LaGrange, pursuant to the provisions of Wisconsin Statute §26.13, 60.55 and Chapter 60 generally, do ordain as follows:

I. ADMINISTRATIVE CODE PROVISIONS ADOPTED

The provisions of Wisconsin Administrative Code Chapter SPS 314 as of the date of the passage of this ordinance are adopted by the Town of LaGrange except as same may be modified, amended, or added to as set forth below.

II. SETTING FIRES AND OPEN BURNING WITHIN THE TOWN OF LaGRANGE

No person shall set any fire upon any land in the Town of LaGrange except for the purpose of warming the person or cooking food without first obtaining a burning permit unless such fire is contained in an approved container, such as a burn barrel or other device designated and intended to contain fire and sparks. No permit shall be issued which would allow open burning between sunset and sunrise.

III. PERMIT PROCEDURE

- a. Applications for burning permits shall be submitted on the application form available from the Lauderdale-LaGrange Fire Department through its website, (llfd.org); or at the fire house (in the outside mailbox).
- b. The completed application form must be submitted to the Fire Department together with the permit fee established by the Town Board via resolution from time to time. No permit shall be effective until approved by the Fire Department. It is the responsibility of the permit holder to verify that the permit is valid prior to burning.
- c. Such permit shall in no event be valid for more than two consecutive days. Any permit issued shall be specific as to the location of the permitted burning.
- d. A burning permit issued under this Ordinance may be revoked at any time at the discretion of the Fire Chief due to violation of this Ordinance or any law or regulation incorporated herein.

IV. PERMIT HOLDER RESPONSIBILITIES

No person shall set any fire or permit or allow any such burning as is regulated herein without being in possession of a valid burning permit issued pursuant to the terms of this section. No burning permit shall be transferable. The person setting any fire, as contemplated herein, shall be in possession of the permit, and only the person named on the permit shall be allowed to set the fire. The person setting the fire and conducting the burning shall be in possession of the permit at all times and shall be physically present at the scene of the fire at all times and until the fire is fully extinguished. Said permit shall not be located away from the person named in the permit and said permit shall be immediately

produced upon the request of any fire officer designated by the Lauderdale-LaGrange Fire Department.

V. ENFORCEMENT

This ordinance shall be enforced by any persons designated by the Town Board of the Town of LaGrange and in addition shall specifically be enforced and enforceable by the Fire Chief of the Lauderdale-LaGrange Fire Department and such chief's designee (s). Said chief or the chief's designee has the authority to immediately issue a citation at the site of any fire set within the Town of LaGrange if the terms of this ordinance have not been complied with. The fire chief or the chief's designee is authorized to revoke any permit at any time when in the judgement of the chief or the chief's designee such revocation is necessary.

VI. CITATION AND PENALTY

- a. Any person violating this ordinance, including the administrative code provisions adopted above, shall, upon conviction, be subject to a forfeiture of not less than \$100 nor more than \$1000 per incident, together with court costs and assessments.
- b. A citation that conforms to the requirements of Wis Stat. § 66.0113 and having a deposit amount of \$313.00 may be issued to any individual violating the terms of this ordinance by the fire chief or the chief's designee.
- c. In addition to the citation procedure set forth in this Section VI, the Town may bring an action against any person violating this ordinance under any other legal and/or equitable process available under Wisconsin law.
- d. All forfeitures received as a result of this ordinance shall be payable to the Town of LaGrange.

VII. LIABILITY FOR DAMAGES

Any person setting any fire in the Town of LaGrange or assisting in the setting of said fire or permitting or causing any said fire to be set, whether set pursuant to the terms of this ordinance or not, shall be responsible for any and all damages caused as a result of the fire set and shall not be exonerated or immunized from such responsibility as a result of having obtained a permit.

VIII. SEVERABILITY

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful, or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force of effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

IX. EFFECTIVE DATE

This ordinance shall take effect immediately upon passage and publication/posting as provided by law.

Passed and adopted at a regular meeting of the Town Board of the Town of LaGrange this 14th day of March, 2022.

Frank Taylor, Chairperson

Attest: Crystal Hoffmann, Clerk