

## **CHAPTER 15**

### **Burning Bans**

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#### **15.01     DEFINITIONS:**

(1) The Fire Chief of the Town of Center is the appointed Fire Chief as approved by the Town Board of the Town of Center.

#### **15.02     TRANSFER OF POWER TO FIRE CHIEF:**

The Town Chairperson and the Town Board hereby transfer the powers of Fire Warden to the Fire Chief of the town. Therefore the Fire Chief of the Fire Department will be authorized by the Town Chairperson and the Town Board to issue and lift burning bans.

#### **15.03     EMERGENCY POWERS OF TOWN FIRE CHIEF TO ISSUE BURNING BANS:**

When the Fire Chief determines there are environmental conditions likely to produce a serious threat of fire to life and property, it shall be the duty of the Fire Chief of the Fire Department after receiving the approval of the Town Chairperson to impose a burning ban and burning restrictions and require that no person may:

- (a) Set, build or maintain any open fire including trash, rubbish, and yard waste, except:
  - (i) Outdoor Cooking Fires: Defined as charcoal grills, gas grills or camp stoves, when in the immediate vicinity of a residential dwelling and when placed on a non-combustible surface.
  - (ii) Recreational Fires: Defined as outdoor fireplace, and fire ring or fire pit, when no larger than three (3) feet diameter and in the immediate vicinity of a residential dwelling, when placed no closer than ten (10) feet from combustibles vegetation. Also including winds below ten (10) mph, attended at all times by at least one responsible person sixteen (16) years or older, and extinguished completely when not attended.
- (b) Throw, discard, or drop matches, ashes, or other burning material while outdoors in the immediate vicinity of combustible natural vegetation.
- (c) Light or use any fireworks, as defined per Wisconsin Statutes, or caps, toy snakes, sparklers, smoke bombs, or cylindrical or cone fountains that emit sparks.

Such a ban described above shall be lifted when the environmental conditions change so that a serious threat of fire is no longer present.

#### **15.04      PUBLICATION OF NOTICES:**

Publication of burning ban issuing shall be handled as other town notices along with a press release sent to the Appleton Post Crescent Newspaper for release. Publication of burning ban lifting shall be handled the same way.

#### **15.20      PENALTIES**

Any person lighting any type of outdoor fire in the town during the time when a burning ban has been issued and is still enforce, that results in a fire run for the fire department may be responsible for any or all of the cost of the run at the discretion of the Fire Chief. This would be calculated using the fire department's standard rates.

Any person, firm or corporation who shall violate any provisions of this ordinance shall, upon conviction thereof, forfeit not less than \$100.00 nor more than \$1,000.00 together with the costs of prosecution, and in default of payments of such forfeiture and costs of prosecution, shall be imprisoned in the County Jail until said forfeiture and costs are paid, but not exceeding ninety (90) days. Each violation and each day a violation continues or occurs shall constitute a separate offense. This section shall not affect the Town Board's right to take other actions under this ordinance.