

STATE OF WISCONSIN
Town of Lafayette
Chippewa County

Amendment to
ORDINANCE NO. 96 – 7

The Town Board of the Town of Lafayette, Chippewa County, Wisconsin, approved by a two-thirds vote of the Town Board on a roll call vote with a quorum present and voting and proper notice having been given, adopts regulations to prevent, detect, and suppress fire and related fire hazards in the Town and for regulatory and enforcement authority noted in this ordinance., does ordain by amending Ordinance No. 96-7 as follows:

The Town Board has the authority under s. 60.555, Wis. Stats., and under its village powers under s. 60.22 (3), Wis. stats., to enact regulations to prevent, detect, and suppress fire and related fire hazards in the Town in order to promote the public health, safety and welfare and to safeguard the health, comfort, living conditions, safety and welfare of the citizens of the Town due to the air pollution and fire hazards of open burning, outdoor burning, and refuse burning.

SECTION 1. OPEN BURNING

This ordinance shall apply to all persons kindling or maintaining any open burning or authorizing the kindling or maintaining of open burning, within the corporate limits of the Town of Lafayette. All persons kindling or maintaining any open burning shall take precautions to have the fire under control at all times. No fine or substantial amount of flowing embers shall be left unattended.

SECTION 2. AUTHORIZED HOURS FOR BURNING

Burning shall be permitted between the hours of 4:00 pm – Midnight Monday through Friday, and from 7:00 am – Midnight on Saturdays. There shall be no open burning allowed on Sundays, Holidays, or during Prohibited periods of burning. A verbal permit shall be required for any open burning conducted outside the hours specified, from the Chippewa Fire District.

SECTION 3. PROHIBITIONS ON BURNING

Outdoor burning shall be prohibited when local circumstances make the fire irritating, noxious, or potentially hazardous. Local circumstances necessitating a Burning Ban include, but are not limited to thermal inversions, wind, direction and/or velocity, ozone alerts, very dry conditions, or the issuance of a "Red Flag Day" by the Wisconsin Department of Natural Resources. Local circumstances shall be determined by the Fire Chief of the Chippewa Fire District or his/her designee.

Except for barbecue, gas and charcoal grills, no open burning shall be undertaken during periods when either the Fire Chief or the Wisconsin Department of Natural Resources has issued a burning ban applicable to the area.

SECTION 4. LEGAL VERSUS ILLEGAL BURNING MATERIALS

Allowed: Open burning of leaves, weeds, brush, pine needles, grass, stumps, clean wood, other vegetative debris, unrecyclable paper & cardboard is allowed only in accordance with the following provisions;

- All allowed open burning shall be conducted in a safe nuisance free manner, when wind and weather conditions are such as to minimize adverse effects and not create a health hazard or a visibility hazard on roadways, railroads or airfields. Open burning shall be conducted in conformance with all local and state fire protection regulations.

Not Allowed: Garbage, plastics, shingles, foam, structures, furniture, wire, metal, electronics, vinyl products, rubber products, oil-based products, and painted, stained or treated wood, unless a written permit is obtained from the Chippewa Fire District and/or other government agencies.

- No person shall burn any material on the asphalt portion of any Town, County, or State roadway, or within 250 feet of any commercial building, or within 50 feet of any industrial, or residential building.

SECTION 5. COOKING, RECREATIONAL & CAMPFIRES

No burning permits are required for cooking, recreational and campfires provided wind speeds are below 10 mph. These fires must be less than 5-feet in diameter and the fire contained by a control device such as a fire ring, fireplace, chim-manea, metal mesh fire container, barrel or fire pit.

To minimize smoke when burning, fires should be started in small piles and allowed to burn hot. Add only dry materials to the pile and do not burn when wind conditions will blow smoke throughout the neighborhood. All fires must be attended to at all times until the fire is completely burned out or extinguished.

SECTION 6. BURN BARRELS

Any outdoor container used for repeated burning of authorized materials shall require a Town of Lafayette Burning Barrel Written Permit, valid for 12 months for an annual fee of \$10. The burn barrel shall be of non-combustible construction, equipped with a mesh, or similar cover with openings of maximum 0.50-inch in any direction, with 1- inch holes punched in for ventilation and drainage, and also blocked 6 to 10-inches up off the ground. It shall be located a safe distance away from any habitable structure, and shall not produce irritating or noxious smoke or fumes.

Burn barrels shall be located at least 250 feet distance from the nearest building that is not on the same property as the burn barrel.

Burn Barrels are not allowed in R-1 or R-2 Residential Districts within the Town of Lafayette.

SECTION 7. PENALTY & LIABILITY

Any person violating any provisions of this ordinance shall, upon conviction, forfeit a sum of \$ 25.00 for the first conviction, \$ 75.00 for a second conviction, and \$ 250.00 for a third or subsequent conviction. The cost of the suppression of the fire shall be assessed to the person convicted of violating this ordinance.

A person utilizing or maintaining an outdoor fire shall be responsible for all fire suppression costs and any other liability resulting from damage caused by the fire.

If damage from the fire extends beyond the property of fire origin, the person utilizing or maintaining an outdoor fire shall be responsible all fire suppression costs and for any other liability resulting from damage caused by the fire.

SECTION 8. CITATION AUTHORITY


Citation authority is hereby vested in the Chief of the Chippewa Fire District or his/her designees, the Chippewa County Sheriff's Department, or the Town Chairperson.


SECTION 9. OTHER REGULATIONS

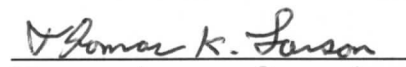
Open burning shall also remain subject to the administrative rules of the Wisconsin Department of Natural Resources, the Department of Safety and Professional Services, and other relevant state statutes.


The foregoing Ordinance was adopted at a regular meeting of the Town Board of the Town of Lafayette on August 19, 2019. Vote For: 4 Against: 1



David Staber, Chairman

Dave Hunt, Supervisor

Sharon McIlquham, Supervisor

Thomas Larson, Supervisor

Jeff Peck, Supervisor

First Reading: July 15, 2019
Second Reading: August 2019
Adopted: August 19, 2019

I certify that the foregoing ordinance was duly adopted by the Town Board of the Town of Lafayette on 19th day of August, 2019; that the same was published as a Class 1 Notice, as defined by Chapter 985, Wisconsin Statutes, on the 2nd day of August 2019, and that copies thereof were posted in at least three (3) public places with the Town of Lafayette likely to give notice to the public. Laura Konwinski, Town Clerk

TOWN OF LAFAYETTE

5765 197th St, Chippewa Falls, WI 54729

Phone: (715) 723-7692

www.lafayettetownship.org

Burning Barrel Inspection Report

Name: _____

Address: _____

Phone: _____

Location of the Burn Barrel

This location is not in an R-1 or R-2 Residential
Zoning District _____ (check)

Cover 1/2" mesh: Yes _____ No _____

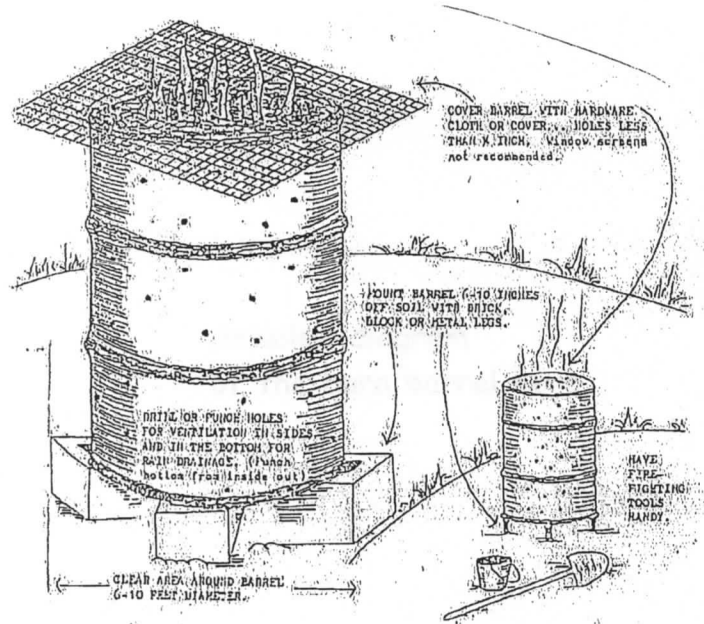
Barrel blocked 6-10" Yes _____ No _____

1" holes for ventilation
& drainage: Yes _____ No _____

Barrel in good condition
(no rust or large holes): Yes _____ No _____

6-10" area cleared around
barrel: Yes _____ No _____

Owner given copy of Lafayette
Burning Ordinance: Yes _____ No _____



Comments:

Annual \$10 Burning Barrel Permit Fee Paid: _____ Date: _____

Inspected by:

Printed _____ Signature _____

Date: _____

Owner of the Burn Barrel:

Printed _____ Signature _____

Date: _____