

ORDINANCE NO. 45
OPEN BURNING ORDINANCE

SECTION 45-1. Definitions.

- 1) "Open Burning" as used herein, shall mean burning done outside of a building.

SECTION 45-2. Open Burning. [Amended 10-7-2024].

- 1) Open burning is prohibited in the Village of Friendship without first obtaining a permit, with the following exceptions:
 - a. Small outdoor fires used for cooking, or used as part of a public ceremony;
 - b. Small open fires for welding, acetylene torches, safety flares, heating tar or similar applications.
- 2) No burning shall be allowed on Sundays or legal holidays.
- 3) No burning shall be allowed on or immediately adjacent to the surface of any blacktop street.
- 4) The open burning of trees, brush, limbs or stumps shall not be permitted.
- 5) Burning of construction debris is prohibited.

SECTION 45-3. Substances Which may be Burned.

- 1) The following open burning may be conducted providing a burning permit is first obtained:
 - a. Burning of grass and weeds, or leaves;
 - b. Fires set for practice and instruction of firefighters, or the testing of firefighting equipment;
 - c. The burning of small amounts of dry combustible rubbish, not to include wet combustible rubbish, garbage, oily substances, asphalt, plastic or rubber products.

SECTION 45-4. Application and Issuance of Open Burning Permits. [Amended 10-7-2024].

- 1) Before the setting or starting of any open burning permitted under this Ordinance, a permit authorizing the burn shall be first obtained by the owner, operator or agent. The following officials/agencies are designated by the Village Board of Trustees to issue such permits:
 - a. Annual Burn Barrel Permits shall be issued by the Village Clerk/Treasurer.
 - b. All other Open Burning Permits shall be obtained from the Wisconsin Department of Natural Resources.
- 2) Application for a burning permit shall be made in writing upon a form furnished by the appropriate official/agency. The form of applications shall be subject to approval by the Fire Department.
- 3) If the person authorized or designated by the Village Board of Trustees to issue such permits finds that the proposed burning complies with all Village ordinance and/or State laws, they shall officially approve the application and a burning permit shall be

subsequently issued to the applicant. A copy of any burning permit, and the application therefor shall be kept on file with the Village. Burning permits issued in accordance with this Ordinance shall be valid for the calendar year when issued.

SECTION 45-5. Open Burning Permit Regulations. [Amended 10-7-2024].

- 1) Before setting or starting any fire, a permit authorizing the setting or starting of such fire shall first be obtained from the person, agency or official designed by the Village Board of Trustees to issue such permits.
- 2) All open burning conducted pursuant to such duly issued permit shall be performed in a safe, pollution-free manner, when wind and weather conditions are such as to minimize adverse effects, and in conformance with local and state fire protection regulations.
- 3) The size of the pile of material to be burned shall not exceed four (4) feet in any direction measured horizontally, or three (3) feet measured vertically.
- 4) The pile of material being burned shall be at least fifty (50) feet away from any structure, wood or lumber pile, wooden fence, trees or bushes. Provisions shall be made to prevent the fire from spreading to within fifty (50) feet of such items or the fire shall otherwise be contained in an approved incinerator or burner device which is located at least fifteen (15) feet from any structure, wood or lumber pile, wooden fence, trees or bushes.
- 5) Any ashes created by burning such material as is lawful under this ordinance are to be disposed of in a manner authorized by law.
- 6) Open burning shall be constantly attended and supervised by a competent person of at least sixteen (16) years of age until such fire is extinguished. This person shall have readily available for use such fire extinguishing equipment as may be necessary for the total control of the fire while burning and/or extinguishing such fire.
- 7) The Fire Department may establish from time-to-time special rules or restrictions. Any such future restrictions as may be developed by the Fire Department, if such restrictions are not specifically ordained in this Ordinance shall be effective in regulating burning within the Village, but only if such restrictions are permitted on the face of any burning permit issued or attached thereto. Such special rules or restrictions may include, but not necessarily be limited to the following:
 - a. Hours when burning is allowed;
 - b. Day(s) when burning is allowed;
 - c. Materials which may or may not be burned;
 - d. Whether open burning is allowed or whether burning is only allowed with an approved incinerator or burning device;
 - e. The length of time the permit is valid;
 - f. What constitutes an approved burning device or incinerator;
 - g. The distance or distances to be maintained between the material being burned and other flammable material;
 - h. Supervision required for burning and type of fire extinguishing equipment which must be present at the burn site;

- i. The manner in which ashes created by the burning under the permit are to be disposed of.
- 8) Each permit issued shall provide notice of regulations within this Ordinance and of possible civil and criminal penalties for violation of this Ordinance and of state and county regulations that may be applicable.

SECTION 45-6. Effective Date. This ordinance shall take effect and be in force from and after its passage and publication.

Adopted by the Village Board this 7th day of October, 2024.



Antone Sindelar, Village President

ATTEST:



Lori Hustad, Village Clerk/Treasurer

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