

Chapter 198

BURNING, OPEN

[HISTORY: Adopted by the Village Board of Trustees of the Village of Hixton 10-6-1987 (Sec. 3-1-9 of the 1987 Code of Ordinances). Amendments noted where applicable.]

§ 198-1. Open burning prohibited.

No person, firm or corporation shall build any outdoor fire within the corporate limits of the Village of Hixton excepting as set forth in § 198-2 of this chapter.

§ 198-2. Exceptions.

- A. The prohibition stated in § 198-1 shall not apply to the following: [Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]
- (1) Outdoor cooking over a fire contained in a device or structure designed for such use;
 - (2) Controlled burning of grass or similar vegetation for environmental management purposes, with the prior written approval of the Fire Chief;
 - (3) Ceremonial campfire or bonfires, with prior written approval of the Fire Chief;
 - (4) Controlled burning of dry leaves and other non-offensive dry yard debris during the periods of April 1 through May 31, and October 1 through November 30 of each year; provided however, that such burning is:
 - (a) Monitored by a responsible person until the fire has extinguished itself completely;
 - (b) Conducted on days when excessive wind or atmospheric conditions will not result in danger to public health or safety;
 - (c) Located off the public street pavement or street gutter;
 - (d) Located at least 30 feet from any neighboring residence;
 - (e) Not used for covert incineration of offensive substances or materials;
 - (5) Other occasions of desirable outdoor burning not specified by this subsection, but not as an alternative to refuse removal or disposal of which other methods are available, may be granted single occasion approval as in Subsection A(2) and (3) above.
- B. Whenever approval and special permit are granted by the Fire Chief under Subsection A(2), (3) and (5) of this section, the permit may specify and be conditioned on observance of safety restrictions and insurance requirements set forth therein.

§ 198-3. Chief may prohibit.

The Fire Chief is permitted to prohibit any or all bonfires and outdoor rubbish fires when atmospheric conditions or local circumstances make such fires hazardous materials or potentially polluting substance.

§ 198-4. Burning on streets.

No materials may be burned upon any street, curb, gutter or sidewalk.

§ 198-5. Liability.

Persons utilizing and maintaining outdoor fires shall be responsible for any liability resulting from damage caused by his fire.