

Chapter 168

BURNING, OPEN

[HISTORY: Adopted by the Town Board of the Town of Erin 1-19-2004 by Ord. No. 04-01. Amendments noted where applicable.]

GENERAL REFERENCES

Fire prevention — See Ch. 196.

Hazardous materials — See Ch. 207.

§ 168-1. High fire danger alerts.

It shall be unlawful for any person to kindle a bonfire or other fire with an open flame out of doors in the Town of Erin during time periods when the Town has declared a high fire danger in effect. A high fire danger alert may be issued by the Emergency Management Director, any fire department serving the Town of Erin, the State of Wisconsin Department of Natural Resources, or the Town Chair.

- A. It shall remain unlawful to kindle any open outdoor fires until such time as the high fire danger alert is terminated. Notice of the alert and its termination shall be by publication in the local papers, radio stations, and posting in the Township. The burn ban becomes effective upon posting on the Township posting boards.¹
- B. It shall remain unlawful to use or discharge fireworks or pyrotechnic devices during a high fire danger alert.

§ 168-2. Restrictions on outdoor burning.

Outdoor burning is subject to the restrictions set forth below:

- A. It shall remain unlawful at any time for any person to burn rubber, plastics, leather, petroleum products, treated lumber, or other materials that emit toxic fumes or noxious odors so as to create a health hazard.
- B. Open fires shall be attended at all times.
- C. The jurisdictional fire department, or Washington County Sheriff's Department, (and Town Police Department if applicable) shall be notified prior to any bonfire in excess of 10 feet in diameter or large area of land being burned. "Large area of land" is an area in excess of one-fourth acre.²
- D. No fires shall be kindled on any roadway within the Town. No piles of debris shall be

1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

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burned within the right-of-way.³

§ 168-3. Exceptions.

Exceptions are as follows:

- A. Outdoor cooking.
- B. Training for fire departments.

§ 168-4. Violations and penalties; enforcement.

- A. Any person who violates, or refuses to comply with this chapter, shall be subject to forfeiture of not less than \$10 nor more than \$1,000, and shall be responsible for all costs and expenses incurred in fighting or extinguishing such fire. In default of the payment thereof, said person shall be imprisoned in the County Jail of Washington County for a period not to exceed six months or until such fine and subsequent costs have been paid.⁴
- B. Any authorized Town official or his/her designee is empowered to enforce this chapter.

3. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

4. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).