

TOWN OF GARFIELD
OUTDOOR BURNING
ORDINANCE
NO. 2 - 2007

Revised 8-18-2008

Town of Garfield

Polk County, Wisconsin

ORDINANCE NUMBER – 2 - 2007

AN ORDINANCE FOR THE ESTABLISHMENT OF OUTDOOR BURNING.

NOW THEREFORE, The Town Board of Supervisors of the Town of Garfield does ordain as follows:

SECTION ONE: PERMIT REQUIRED: PURPOSE. Every person, pursuant to W.S.A. s. 60.555 and other provisions as they may apply and this chapter, in the Town of Garfield shall seek and obtain a fire safety permit from the Town of Garfield, unless exempt by sections, for any outdoor fire to be ignited in the town of Garfield. All requirements of this section are for protecting and promoting the health, safety and welfare of the residents of the town.

SECTION TWO: APPLICATION PROCESS.

- A. The application and permit shall designate a single area subject to the burning permit, and the Permit shall be issued only for the designated single property. Any permit issued under this section is neither transferable nor assignable, either as to person or as to location. No person shall be issued a burning permit in the Town of Garfield who has failed to properly and fully complete and submit to the Clerk of the Town of Garfield the application form as provided.
- B. The application shall include but not be limited to:
 - 1. The name of the applicant.
 - 2. The address of the applicant.
 - 3. The telephone number of the applicant.
 - 4. The actual location of the proposed burning area. (A separate permit is required for each different burn location.)

SECTION THREE: EXEMPTIONS The following are exempt from this permit requirement:

- A. Persons who burn materials in a stove, furnace or incinerator inside a building.
- B. Persons who burn charcoal or other combustible materials for domestic cooking outdoors at their residence or who burn charcoal or other combustible materials for domestic cooking outdoors in public parks. This exemption does not apply upon a declared public fire emergency by the State Department of Natural Resources (DNR).
- C. Persons who burn in burning barrel. This exemption does not apply upon a declared public fire emergency by the State DNR.
- D. In an emergency, fires used to warm the person or to cook food.
- E. Fires set by the Fire Department for training purposes.
- F. Persons who burn in an outdoor furnace
- G. Camp fires no larger than four feet in diameter

SECTION FOUR: ISSUANCE OR PERMIT.

- A. A permit shall be issued for the permitted use. The permit shall be issued by the Clerk for the Town of Garfield or Town Board designated person prior to any person igniting a fire in the Town of Garfield. In addition to receiving the permit, the permit holder must follow the procedures as outlined in Section Five each time he/she wishes to ignite a fire.
- B. There are no daily permits issued. Each resident wishing to burn within the town must obtain a new permit each calendar year. Permits are good January 1st – December 31st of the year issued.

SECTION FIVE: NOTICE OF INTENT TO BURN.

- A. On the day the permit holder wishes to burn. The permit holder must call 715-268-6806 for fire ban information, then the Polk County Sheriffs Department at 485-8300. The permit holder will be asked his/her name, the location of the burn and telephone number. The permit holder may then burn.
- B. The permit holder must use this procedure each day the permit holder wishes to burn. The permit holder must not leave fires burning unattended.
- C. If there is burning ban set by the Fire Chief or the DNR at the time the permit holder calls, the Polk County Sheriffs Department will advise that burning will not be allowed until the ban is lifted.

SECTION SIX: REVOCATION OF PERMIT. The Town Board or Fire Chief of the Town of Garfield may revoke a burning permit, and no person shall be issued or reissued a burning permit in the Town of Garfield if the applicant or permittee:

- A. Fails to establish adequate fire protection and fire prevention activities at the requested or permitted burning location when established by the Town of Garfield as a condition to the permit.
- B. Fails to install or maintain adequate fire safety equipment during the requested or permitted use when established by the Town of Garfield as a condition of the permit.
- C. Fails to prevent burning activities that are not authorized by the permit of the Town of Garfield at the requested or permitted burning location.
- D. Fails to prevent at or near the requested or permitted burning location any burning activities larger than four feet in diameter within 15 feet of any fence or property line.
- E. Fails to allow physical access to the requested or permitted burning area location by the Fire Chief or designee for inspection purposes upon prior notice.

SECTION SEVEN: GENERAL RESTRICTIONS.

- A. The Town of Garfield prohibits any person from igniting any fires outdoors in the Town of Garfield upon days declared emergency fire days by the Fire Department or the State of Wisconsin Department of Natural Resources.
- B. The Town of Garfield prohibits any person from igniting of any fires indoors in the Town of Garfield except in a stove, furnace or incinerator.
- C. A permittee shall report to emergency services any fire in the Town of Garfield where the fire is out of control.
- D. The permit holder is responsible for the fire at all times.
- E. The permit holder may ignite and maintain only one fire at a time.
- F. Fires may not be ignited within 35 feet of a lake or moving body of water.

SECTION EIGHT: VIOLATIONS AND PENALTIES; FEES.

- A. Any person violating any of the provisions of this ordinance or knowingly aiding or abetting another in the violation thereof shall, upon conviction, pay a forfeiture as set by the town Board of not less than \$25 not more than \$500 per incident and the costs and attorney fees in prosecution, with each day in violation of the ordinance constituting a separate offense subject to the provisions of Subsection D of this section.
- B. If a member of the Fire Department or Town Board finds a resident burning without a permit, the resident will be required to extinguish the fire until a permit has been obtained following the procedures as outlined in Section Two.
- C. If the Fire Department is called to any fire, the resident may be charged for the cost of the fire as determined by the Fire Chief or Dresser-Osceola-Garfield Association Board.
- E. Fees. There shall be no fee for the permit.

SECTION NINE: Effective Date

This ordinance shall take effect after public hearing thereon, approved by the Town Board, and publication as provided by law.

Dated this 19th day of March, 2007.

Ed Gullickson

Edward Gullickson, Town Chairperson

Hazel Nelson

Hazel Nelson, Town Clerk

Revision: Section 4 - B
Section 5 - A
Section 7 - F

Revised 8-18-2008

Approved – Ed Gullickson

Town of Garfield - Yearly Burning Permit

Permit Issued To: _____ Permit Issued for _____ Year

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone #: _____ Cell # _____

Permit Issued for the following location: (A separate permit is required for EACH Burning Location. If same as above, state SAME):

Address: _____

City: _____

Phone # at Burn Location, if any: _____

The administration rules of the State of Wisconsin and DNR Air Management and Solid Waste Management Programs **prohibit anyone from burning any of the following materials under any conditions:**

- Wet, combustible rubbish, such as wet cardboard or paper.
- Oily substances, such as oily or greasy rags, oil filters, etc.
- Asphalt, such as asphalt shingles or tar paper.
- Plastics of any kind, including plastic bottles and plastic bags.
- Wood products, treated or painted.

Instructions to Burn:

- Each day you plan to burn call 268-6806 for fire ban information, then call the Polk County Sheriffs Department at 485-8300 and inform them.
- You will be asked your name, address and phone number at the actual Burn Location.
- **If approved, you may then burn. If there is burning ban set by the Fire Chief at that time, the Polk County Sheriffs Department will advise that burning will not be allowed until the ban is lifted.**
- **Permit holder may ignite and maintain only one fire at a time. It is prohibited to leave the fire burning**

Restrictions:

I hereby agree to use all possible care in igniting fires under this permit and to be responsible for all damage done by such fires. I also agree to abide by all Wisconsin State regulations and the Town of Garfield Burning Ordinance. I understand this permit will be revoked upon violation of its restrictions. I further understand that if the Fire Department is called to a fire at the Burn Location, permitted or not, I will be responsible to pay all costs incurred for the fire call as determined by the Fire Chief.

Permit Holder signature: _____ Date Signed: _____

Permit Authorization: (To be filled in by Issuing Official)

Permit Issued By: _____ Position: _____ Date Issued: _____