

Passed: 7-12-2021

Posted: 7-29-2021

ORDINANCE NO. 2021-007
AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE TOWN OF LINN,
WALWORTH COUNTY, WISCONSIN, OUTDOOR FIRES

§ 6-13 **Outdoor fires.**

A.

Burning of certain materials prohibited. It shall be unlawful for any person to burn in an outdoor residential incinerator any garbage, trash, rubber or rubber products, asphaltic-type materials or any other such related materials which create by such burning a smoke or odor nuisance. "Garbage" as the term is used herein is defined as putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food. "Trash" as used herein is defined as human or animal excrement, animal remains or offal, petroleum products, vegetable products, mineral products and metal pressurized containers.

B.

Prohibited Locations for burning. No materials may be burned upon any street, or ditch located in the Town of Linn.

C.

Use of incinerator required. No outside burning shall be permitted on any premises used for residential purposes except in an incinerator which shall be a metal container or masonry product built or fabricated so as to be completely enclosed, except having a top opening for loading and a lower opening for draft control. Such openings shall be covered with a metal screen of mesh opening not greater than 1/2 inch measured across the largest diameter. Such residential incinerator shall be located at a distance of at least 20 feet from any structure and shall have all grass and other flammable material cleared away from its base for a distance of three feet from all exterior surfaces of the incinerator.

D.

~~Emergency regulations. Whenever, because of extreme dryness or drought, the Town Board shall deem it imprudent to set fires or discharge fireworks upon any land within the Town, it shall, by proclamation, declare an emergency and cause to be posted in as many places as it deems necessary a notice forbidding the setting of fires and/or the discharge of any fireworks within the Town.~~

~~{Amended 6-28-2012}~~

~~Fire Chief or Town Board Authority to Declare or Lift Outdoor Fire Moratorium: The Fire Chief or Town Board may declare or lift a moratorium on open burning when the Fire Chief or Town Board determines that it is warranted by burning conditions.~~

E.

Responsibility for fires. Any person who negligently sets a fire on any land or shall fail to properly attend the same so as to allow the fire to escape to adjoining land or shall set a fire in violation of any provision of this section or shall set a fire without the use of an incinerator as is provided in this section shall upon conviction be subject to the forfeiture provided for violation of this Code and in addition thereto shall be liable for all expenses incurred in the suppression of any such fire which the Town Clerk^{III} shall certify to such person by itemized statement. If any claim is not paid within 60 days from the date of billing by the Town Clerk, the Town of Linn may maintain an action against the person for the collection of such claim in addition to the forfeiture provided.

F.

Person defined. The term "person" as used in this section shall include the owner and any person in possession of any real estate upon which a fire is set.

G.

Grass fires. See § 10-6 of this Code for the requirements for a permit for grass fires.

H.

Failure to be present. It shall be a prohibited practice for any person who sets a fire to fail to be present at the premises for any length of time deemed to be unreasonable or unsafe.

I.

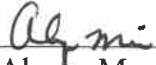
Fires at Town of Linn boat launch facilities. No person shall construct or otherwise cause a fire for any purpose, including but not limited to fires for cooking, at either the Robinson Hillside or Linn Pier boat launch facilities. For purposes of this subsection, "boat launch facilities" shall include the boat launch itself, the beach area and the parking area at both boat launch facilities.

Dated at the Town of Linn, Wisconsin, this 29th day of July, 2021.

TOWN OF LINN

BY: 
James Weiss, Chairman

ATTEST


Alyson Morris, Clerk