

### 13.04 OPEN BURNING.

1. Purpose. To protect the health, safety and welfare of the citizens of the Town of Beloit and to protect property located within the Town of Beloit, this ordinance is adopted pursuant to [Section 60.55](#), Wis. Stats.
2. Prohibition. The open burning of any materials or substances is hereby prohibited within Town limits, other than the preparation of food on a temporary or permanent fireplace grill or barbecue pit using charcoal or natural gas and as otherwise provided exceptions herein.
3. Exceptions.
  - a. Seasonal Burns. Open burning of natural wood and leaves shall be allowed within the Town of Beloit during the months of April, October and November of each year, under the following conditions:
    - i. Burning of dry products shall be limited to such items as natural wood and natural wood products and leaves. The burning of treated wood in any form, garbage, food products, paper products or cardboard, manure, plastic or rubber is prohibited.
    - ii. Burning may only occur between the hours of 8:00 a.m. and 8:00 p.m.
    - iii. All burning must occur at least fifty feet (50') away from all structures and combustible materials.
    - iv. Fires must be doused if they generate smoke that may obscure a public roadway, or in another way pose a threat to public safety.
    - v. Adequate means of dousing the fire must be at hand during burning, and the fire must be put out if it poses a risk of expanding beyond the burn site. Fires must be doused immediately if sparks or flames from the fire spread beyond the immediate burn area.
    - vi. The Fire Chief may, by notice in the official newspaper of the Town, rescind open burning for periods of unusually dry or windy conditions that would make it prudent to conduct open burning.
    - vii. Recreational and Controlled Burns. Shall be limited to natural wood or natural wood products with the base of the fire not to exceed thirty-six inches (36") in diameter, with the flames not exceeding thirty six inches (36") in height. Exceptions to the size of the fire may be granted by the Fire Chief where proper equipment is in place and the location does not pose an undue hazard. The burning of treated wood in any form, garbage, food products, paper products or cardboard, manure, plastic and rubber is prohibited.
    - viii. All fires including the use of, but not limited to, fire pits, or free standing fire containers shall be no less than thirty feet (30') from any combustible material or structure, except that UL listed fire containers and fire places may be located no closer than fifteen feet (15') from any combustible material or structure. Free standing fire containers shall not be on any deck made of combustible material that is adjacent or connected to any portion of any type structure.
    - ix. Control burns of prairie land by qualified individuals may be allowed by permit issued by the Fire Chief.
    - x. Unless specifically noted in this ordinance, open burning shall be carried out pursuant to [Section 429.04](#), Wis. Admin. Code

- b. Agricultural Areas. On any land zoned "Agricultural" within the Town of Beloit, persons owning or renting such property shall be allowed to burn natural wood (not including lumber), leaves, grass and weeds along the road ditches and fence rows adjacent to said property for the purposes of clearing the area at any time during the year between the hours of 6:00 a.m. and 8:00 p.m. with the requirement that all flames and smoke be eliminated or ceased by 8:00 p.m., on any day when such areas are burned. Those persons owning or renting agriculturally zoned areas shall also be allowed to burn fertilizer or pesticide paper containers in such areas at any time throughout the year between the hours of 6:00 a.m. and 8:00 p.m., as long as the manufacturer of such containers recommends or permits this method of disposal.
- c. Location. All outside burning of materials permitted to be burned under this ordinance shall be burned at least thirty feet (30') away from any structure or other combustible materials. Adequate provisions must be made by the person burning the materials to prevent any fire from spreading. The burning of materials shall be supervised by an adult at all times.
- d. Negligent Burning. All burning allowed under this ordinance, including seasonal, recreational and controlled burns, shall be performed in a safe manner so as to avoid damage to property and bodily injury. All burning shall be performed under the direct supervision of an adult person age eighteen (18) or over, who shall be present at the site of the fire and have adequate control of the fire at all times. Unattended fires are strictly prohibited.
- e. Penalties for the violation of this ordinance shall be as specified in Chapter 1 of the Code of Ordinances of the Town of Beloit.