

ORDINANCE NO. 2005-11

AN ORDINANCE AMENDING CHAPTER 8.36, OPEN BURNING, OF THE CODE OF ORDINANCES FOR THE VILLAGE OF GLASFORD, 1987, AS AMENDED, TO PROVIDE FOR THE REGULATION OF BURNING IN THE VILLAGE OF GLASFORD AND REPEALING CERTAIN ORDINANCES RELATED THERETO.

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF GLASFORD, ILLINOIS, A MUNICIPAL CORPORATION:

SECTION 1: That Chapter 8.36 – Open Burning of the Code of Ordinances of the Village of Glasford, Illinois, a municipal corporation, is hereby Amended as follows:

Chapter 8.36

OPEN BURNING

Sections:

- 8.36.010 Restrictions
- 8.36.020 Waste Materials
- 8.36.030 Prohibited Materials
- 8.36.040 Bonfire/Recreational Fires and Burning of Leaves and Brush
- 8.36.050 Regulations Relative to Bonfire/Recreational Fires and the Burning of Leaves and Brush on Private Property Allowable Under the Provisions of this Chapter
- 8.36.060 Offensive or Objectionable Fires
- 8.36.070 Penalties
- 8.36.080 Settlement Options

Section 8.36.010: Restrictions. It is hereby declared to be unlawful and it is prohibited to burn any trash, garbage, refuse, rubbish, debris, junk, junk motor vehicles, or parts thereof, or miscellaneous waste, or other debris upon any private property or upon any public property, right-of-way, highway, park, street or parkway anywhere in the Village of Glasford. No open burning shall be allowed on any streets, alleys, ditches, curbing or on any public property of the

Village of Glasford. No person shall set any fire or cause or to permit burning or open burning on any private property except as hereinafter permitted under this Ordinance.

Section 8.36.020: Waste Materials. No open burning shall not be used for waste disposal purposes.

Section 8.36.030: Prohibited Materials. No petroleum products such as gasoline, oil, or kerosene shall be used to ignite or generate a fire in the Village of Glasford. The use of flammable fire starters are permitted for the use on self-contained barbeque grills on private property or public property where the use on such grills are allowed. Open burning of tires, oils, plastics, chemicals, flammables, or hazardous materials is prohibited.

Section 8.36.040: Bonfire/Recreational Fires and Burning of Leaves and Brush. A bonfire/recreational fire and the burning of leaves and brush of no more than two (2) inches in diameter, shall be allowed on private property subject to the provisions of this Chapter. A bonfire/recreational fire shall be no more than five (5) feet by five (5) feet in dimension. Fuel for a bonfire/recreational fire and the burning of leaves and brush shall consist only of seasoned dry firewood to be ignited with a small quantity of paper. The fire shall not be used for waste disposal purposes and the fuel shall be chosen to minimize the generation of air contaminates.

Section 8.36.050: Regulations Relative to Bonfire/Recreational Fires and the Burning of Leaves and Brush on Private Property Allowable Under the Provisions of this Ordinance.

(1) **Attendance.** Any burning on private property shall be constantly attended by a responsible adult until the fire is extinguished.

(2) **Hours.** Bonfires and recreational fires and the burning of leaves and brush shall be allowed only between the hours of 6:00 A.M. and 12:00 A.M. All burning fires as allowed by this Chapter on private property shall be extinguished by 12:00 o'clock A.M.

(3) **Fire Equipment.** Fire extinguishing equipment (including but not limited to garden hose, buckets of water, rakes, and shovels) shall be available for immediate use at the location of all burning.

(4) **Location.** The location for any burning on private property shall be no less than twenty (20) feet from any structure and provisions shall be made to prevent the fire from spreading to within twenty (20) feet from any structure. No open burning shall occur on any streets, alleys, ditches, curbing or any property owned by the Village of Glasford.

(5) **Containers.** Any burning in a barrel or container shall not be allowed on private property.

Section 8.36.060: Offensive or Objectionable Fires. A Village of Glasford Employee or an officer of the Village of Glasford Police Department shall have authority to prohibit any open burning, which the police officers may determine in their sole discretion to be offensive or objectionable due to smoke or odor emissions when atmospheric conditions or local circumstances could make such fires hazardous, or not in the best interest of the health and safety of citizens of the Village of Glasford. The Village Employee or Village of Glasford Police Officer shall order the extinguishment of any open burning which creates or adds a hazardous or objectionable situation.

Section 8.36.070: Penalties. Any person violating any provision of this Chapter of the Code of Ordinances for the Village of Glasford 1987, as Amended, shall be fined not less than

Sixty Dollars (\$60.00) nor more than Two Hundred Dollars (\$200.00) for each and every offense or violation of this Chapter.

Section 8.36.080: Settlement Options. The recipient of a Municipal Code – Ordinance Violation Notice may settle any violation of this Chapter by paying the amount of Forty Dollars (\$40.00) as checked in the Ordinance Violation Notice on or before the due date for the settlement payment indicated in the Notice. The settlement options shall not apply to the second and subsequent violation within any twelve (12) month period.

The receipt of the settlement amount for each and every violation indicated on the Notice of Violation shall be made on or before the due date, as set forth in the Notice and if paid, shall terminate the Code – Ordinance Violation action and resolve all Village claims for fines against the alleged violator as set forth in the Notice by the Village. Any violator so noticed must appear and/or pay the settlement amount to the Village Clerk or the Village Clerk must receive the settlement amount by check on or before the due date. All payments are to be paid or mailed to the Village Clerk, Village of Glasford, 301 S. Oak Street, P.O. Box 140, Glasford, Illinois 61533, or before the due date.

Failure to pay the settlement amount on or before the due date shall result in the Village filing a complaint, citation or having a summons issued against the violator who shall be served with a copy of the complaint, citation or summons either by certified mail or personal service, which complaint, citation or summons shall set forth the date to answer the Village's complaint, citation or summons for Code – Ordinance Violation. The violator shall be noticed in the complaint, citation or summons to appear at a date and time certain in the Circuit Court of Peoria County, Illinois, Peoria County Courthouse, 324 Main Street, Peoria, Illinois 61602. In any case where service by certified mail or personal delivery has been attempted and failed, the

