

Village of Godfrey Code of Ordinances

Chapter 30 Fire Prevention and Protection

ARTICLE IV. - BURNING OF LANDSCAPE WASTE^[3]

Footnotes:

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Cross reference— Solid waste, ch. 58.

Sec. 30-101. - Permitted months, hours and locations.

Except in areas of the village consisting of agricultural farms in agricultural use, as those terms are defined in section 60.112 of Ordinance No. 13-95 of the village, outdoor landscape waste and leaf burning shall be prohibited except on Wednesdays and Saturdays during the months of March, April, May, October, November and December of each year. Outdoor landscape waste and leaf burning shall be limited in all locations within the village where permitted to the daylight hours between 9:00 a.m. to 3:00 p.m. of each day on which such burning is permitted. All fire or emission of smoke from the burning of landscape waste and leaves shall be completely extinguished by 3:00 p.m. All fires must be continuously tended until extinguished by the landowner, homeowner or resident of the property.

Notwithstanding the limitations set forth in the preceding paragraph, in the event a declaration of state of emergency is made by the president of the village under section 26-39 of the Code, the president is authorized to modify the burning restrictions set forth in this section by written executive order for such a period not exceeding 30 days. The village president's executive order shall be effective immediately upon issuance, and shall be reported to the board of trustees at the next regularly scheduled village board meeting after the issuance of the executive order.

(Ord. No. 21-94, § 2(40.1), 10-18-1994; Ord. No. 15-95, § 1(40.1), 10-18-1995; Ord. No. 19-2009, § 1, 7-7-2009; Ord. No. 20-2009, § 1, 9-1-2009; Ord. No. 15-2017, § 1, 8-1-2017)

Sec. 30-102. - Agricultural, recreational and portable outdoor fireplace exception.

- (a) This article shall not apply to any uses involving agricultural uses as defined in Ordinance No. 49-99, being the zoning ordinance of the village.
- (b) This article shall not apply to the use of portable outdoor fireplaces or recreational fires as hereinafter defined and permitted.
 - (1) A *portable outdoor fireplace* is defined as a portable, outdoor, solid-fuel burning, propane or natural gas fireplace that may be constructed of steel, concrete, clay or other noncombustible material. A portable outdoor fireplace may be open in design, or may be equipped with a small hearth opening and short chimney or chimney opening in the top.
 - (2) A *recreational fire* is defined is an outdoor fire burning materials other than rubbish, leaves and yard waste where the fuel being burned is not contained in an incinerator, outdoor fireplace, portable outdoor fireplace, barbeque grill or barbeque pit and has a total fuel area of three feet or less in diameter and two feet or less in height for pleasure, religious, ceremonial, cooking, warmth or similar purposes.
- (c) Recreational fires shall not be conducted within 25 feet of a structure or combustible material. Conditions which could cause a fire to spread within 25 feet of a structure shall be eliminated.

- (d) Portable outdoor fireplaces shall be used in accordance with the manufacturer's instructions and shall not be operated within 15 feet of a structure or combustible material.
- (e) Recreational fires and the use of portable outdoor fireplaces shall be constantly attended until the fire is extinguished. A minimum of one portable fire extinguisher, or other on-site fire-extinguishing equipment such as fire, sand, water barrel, garden hose or water tank shall be available for immediate utilization.

(Ord. No. 15-95, § 1(40.1(a)), 10-18-1995; Ord. No. 17-2015, 11-17-2015)

Sec. 30-103. - Outdoor landscape waste and leaf burning.

Outdoor landscape waste and leaf burning is allowed in areas located not less than 20 feet from any building or structure on private property only. Cemeteries may conduct such outdoor landscape waste and leaf burning on their property. All landscape waste and leaf burning shall be under supervision and in compliance with the requirements set forth in this article.

(Ord. No. 21-94, § 2(40.2), 10-18-1994)

Sec. 30-104. - Burning prohibited.

Outdoor landscape waste and leaf burning shall be prohibited at all times on or in any public street or alley in the village.

(Ord. No. 21-94, § 2(40.3), 10-18-1994)

Sec. 30-105. - Burning of landscape waste and leaves only.

Outdoor landscape waste and leaf burning shall include only leaves fallen from trees, plants, shrubs and other landscape waste generated on the owner's property and shall not include the burning of any trash, garbage or other disposables or any other materials of any nature whatsoever.

(Ord. No. 21-94, § 2(40.4), 10-18-1994)

Sec. 30-106. - Burning of lawn only.

A bona fide property owner or tenant may conduct lawn burning any day during daylight hours. Such burning shall require the tenant or owner to remain on the property until all burning has ceased and have a readily available method to control or extinguish such burning.

(Ord. No. 21-94, § 2(40.5), 10-18-1994)

Sec. 30-107. - Atmospheric conditions.

Outdoor leaf or lawn burning which is permitted under this article may be prohibited at any time when, in the opinion of the appropriate and proper official of the village or the state environmental protection agency, atmospheric conditions are such that open leaf or lawn burning would prove harmful to the citizens of the village.

(Ord. No. 21-94, § 2(40.6), 10-18-1994)

Sec. 30-108. - Flammable liquid.

Flammable liquid shall not be used in burning regulated under this article at any time. If at any time the fire appears to be spreading or getting out of hand, the fire department should be called immediately.

(Ord. No. 21-94, § 2(40.7), 10-18-1994)

Sec. 30-109. - Penalty.

Every person, including an individual, individuals or corporations, convicted of a violation of any provision of this article shall be punished by a fine of not less than \$10.00, nor more than \$500.00. Each burning in violation of this article shall be considered a separate offense.

(Ord. No. 21-94, § 2(40.8), 10-18-1994)